

THE MADRAS LEGISLATIVE ASSEMBLY.

Thursday, 9th December 1954.

The House met in the Assembly Chamber, Government Estate, Mount Road, at eleven of the clock, Mr. Speaker (THE HON. SRI J. SIVASHANMUGAM PILLAI) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

MR. SPEAKER :—“ I will take up the privilege motion after the question hour. I have placed before the House about forty questions and I hope to finish them all within the question hour with the co-operation of hon. Members.

“ Now we can take up Short Notice questions Nos. 283, 290 and 292 together as all of them are allied questions.”

*Strike in the Standard Clay and Tile Works Factory,
Feroke, Malabar.*

* 283 Q.—SRI T. C. NARAYANAN NAMBIAR: Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether it is a fact that there has been continued victimization and dismissal of workers by the Manager, Standard Clay and Tile Works, Feroke, Malabar, resulting in a strike from 1st December 1954; and

(b) if so, what action the Government have taken or propose to take in the matter?

THE HON. SRI M. BHAKTAVATSALAM :—“ (a) Yes, Sir.

“ (b) The Government have referred for adjudication the dispute relating to the retrenchment of 37 workers by the management.”

*Retrenchment in the Standard Clay and Tile Works,
Feroke, South Malabar.*

* 290 Q.—SRI K. P. GOPALAN: Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether it is a fact that the management of the Standard Clay and Tile Works, Feroke, South Malabar, retrenched 37 workers on 18th November 1954, violating the provisions especially of section 33 of the Industrial Disputes Act; and

(b) if so, the action taken by the Government in the matter?

THE HON. SRI M. BHAKTAVATSALAM :—“ (a) It is a fact that the management retrenched 37 workers on the 18th November 1954. The question whether the retrenchment was justified is the subject of adjudication.

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“(b) The Government have referred the dispute relating to the retrenchment of the workers for adjudication.”

Maintenance of muster roll for workers by the tile factories in Feroke, South Malabar.

* 292 Q.—SRI K. P. GOPALAN : Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether it is a fact that Commonwealth Tile Factory, Standard Tile and Clay Works, Malabar Tile Works and some other tile factories in Feroke, South Malabar, do not keep muster roll for workers according to section 25 (d) of the Industrial Disputes Act of 1947 as amended in 1953; and

(b) if so, the action taken by the Government in the matter?

THE HON. SRI M. BHAKTAVATSALAM :—“(a) & (b) The Government have no information. A report is being called for from local officers and suitable action will be taken, if necessary.”

SRI T. C. NARAYANAN NAMBIAR :—“Sir, in view of the fact that the Hon. Minister has referred the dismissal of 37 workers for adjudication, may I know whether the Hon. Minister is aware of the fact that the Tile and Clay Works at Feroke had violated the provisions of the Industrial Disputes Act, namely, sections 25 (f) and 25 (g) inasmuch as the management had dismissed 158 workers till the 17th May 1954 and whether any action has been taken on the matter or whether the dismissals during that period is one of the items pending before the court of adjudication? May I also know whether the Hon. Minister is aware that while a conciliation proceeding was pending before the Conciliation Officer with regard to the dismissal of these 158 workers, these 37 workers were dismissed, and if so, what action do the Government propose to take in respect of that matter?”

THE HON. SRI M. BHAKTAVATSALAM :—“Sir, the present question relates to the retrenchment of 37 workers and I have stated that this matter is before the adjudication court.”

SRI M. KALYANASUNDRAM :—“Sir, in view of the fact that there has been a *prima facie* case for referring the dispute for adjudication, will the Government consider the question of instructing the management to put these workers back on duty pending the result of the adjudication?”

THE HON. SRI M. BHAKTAVATSALAM :—“Sir, Government have also information that a strike is going on. May I ask the hon. Member whether he would give an undertaking on behalf of the workers that the strike will be immediately called off?”

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SRI K. P. GOPALAN :—“ If the Government give an assurance here that all the retrenched workers including these 37 will be taken back, then we are prepared to withdraw the strike.”

THE HON. SRI M. BHAKTAVATSALAM :—“ Sir, I do not know the position relating to the retrenchment of the workers other than these 37. Relating to these 37, the matter is before the adjudication court. I think the Government could advise the management to reinstate the workers pending award by the adjudication court. I would also advise the workers to give up the strike.”

SRI K. P. GOPALAN :—“ Sir, according to the assurance given by the Hon. Minister, we will persuade the workers to stop the strike. But I would like to bring to the notice of the Hon. Minister another point. There is a policy followed by the Government, namely, whenever the managements violate the provisions of the Industrial Disputes Act, Government are not taking any action in the matter. Will the Government go into the question and see whether the management in this case has not violated the provisions of the Act so many times in the past? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ I may tell the hon. Member that the Government do not hesitate to take action whenever the management or the workers contravene the provisions of the Industrial Disputes Act. Hon. Member is meeting me in my Chamber at 2-30 p.m. when the Commissioner of Labour will also be present. I may suggest to him to discuss the matter thoroughly with me then.”

(The hon. Member Sri T. C. Narayanan Nambiar stood up in his place.)

MR. SPEAKER :—“ I will allow the hon. Member to put his question. But I may point out to him that the Hon. Minister is meeting the concerned Members in his Chamber to-day. They can discuss the question threadbare with the Hon. Minister then.”

SRI T. C. NARAYANAN NAMBIAR :—“ We welcome the reference of the dismissal of the 37 workers to the adjudication court. I may say as the President of the Tile Workers' Union that the dismissal of these 37 workers was the consequence of the earlier dismissal of about 158 workers. Representations were made to Government in respect of the dismissal of the 158 workers. It is regrettable to note that the question of the dismissal of these 37 workers alone has been referred for adjudication and not the question of dismissal of the 158 workers also which caused all the trouble. This is my submission. Will the Hon. Minister be pleased to consider this matter? If he can consider that, then we can contact Feroke by phone and inform the result to the Hon. Minister by 4-30 p.m. to-morrow.”

THE HON. SRI M. BHAKTAVATSALAM :—“ I would invite the hon. Member to my Chamber at 2-30 p.m. to-day. We shall discuss the whole matter then.”

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Sale of lorries of the Civil Supplies Department.

11-10 a.m. * 284 Q.—SRI M. KALYANASUNDRAM : Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether it is a fact that ten lorries belonging to the Civil Supplies Department were sold recently;

(b) if so, to whom the sale was made;

(c) what the total amount for which the lorries were sold was; and

(d) whether the sale was through auction or by tender?

THE HON. SRI M. BHAKTAVATSALAM :—“(a) & (b) The hon. Member is presumably referring to the sale of lorries belonging to the Civil Supplies Department to the Organizer in charge of the ensuing Congress Session at Avadi. Only four lorries were sold to the organizer.”

“(c) The lorries were sold to him for Rs. 22,000 only.

“(d) The sale was made by private negotiations.”

SRI M. KALYANASUNDRAM :—“இந்த நான்கு லாரிகளையும் அவர்களுக்கு விற்பதற்கு என்ன காரணம்? ஏதோ ஆவடி காங்கிரசுக்கு வேண்டிய ஏற்பாடுகளைச் செய்வதற்காக என்பதுதான் இதன் நோக்கமா அல்லது அந்த லாரிகளுக்கு வேறு நியாயமான விலை வரவில்லை என்பதனால் கொடுக்கப்பட்டதா?”

THE HON. SRI M. BHAKTAVATSALAM :—“I may tell the hon. Member that there is no idea behind this transaction of giving any subsidy to the Reception Committee of the Congress. Sir, on account of the decontrol of rice, about 53 lorries in the possession of the Civil Supplies Department were found to be surplus. The Government have reserved 20 best lorries for the use of various departments like Transport, Agriculture, Forests, Police, etc. Regarding the other lorries, Sir, the Government have found that it would be more advantageous to the Government if they could sell these lorries by negotiations, at not less than the market price. Regarding the four lorries sold, the book price is nil and the market price was assessed at Rs. 19,500. Here was an offer of Rs. 22,000 from the Reception Committee of the Congress and the Government found that they could not get more than this and that if they were sold by auction or tender, they would get much less than the market price. Therefore, the Government felt that it would be advantageous financially to the Government if they should accept that offer of Rs. 22,000 which is Rs. 2,500 more than the market price.

I may also tell the hon. Member that the Government negotiated similarly with the Corporation of Madras which wanted some of these lorries. The Corporation offered to take seven lorries and the Government agreed to the sale

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of these seven lorries at the market price. But the Corporation have since intimated the Government that they will take only three lorries as against seven lorries originally asked for by them."

SRI M. KALYANASUNDRAM :—" இந்த லாரிகள் எல்லாம் காங்கிரஸ் கட்சிக்கு விற்கப்பட்டதா, அல்லது வேறு ஒருவருக்கு விற்கப்பட்டதா என்பதைப்பற்றி எல்லாம் எங்களுக்குக் கவலையில்லை. ஆனால் சர்க்கார் பணம் போட்டு இந்த லாரிகளை வாங்கியிருக்கிறார்கள். அந்தப் பணம் பொது மக்களுடையது. ஆகவே சரியான விலைக்கு இந்த லாரிகள் விற்கப்பட்டனவா? அல்லது இந்த லாரிகளை விற்பதன் மூலம் சர்க்காருக்கு நஷ்டம் உண்டாயிற்று என்பதை அறியவே நாங்கள் விரும்புகிறோம். ஆகவே மார்க்கெட் விலைக்கு மேல் விற்கப்பட்டிருக்கிறது என்று கனம் மந்திரி அவர்கள் சொன்னார்களே, மார்க்கெட் விலை என்னவென்று யார் நிர்ணயித்தார்கள்? எந்த அடிப்படையில் அந்த மார்க்கெட் விலையையும் நிர்ணயித்தார்கள் என்று அறிய விரும்புகிறேன்."

THE HON. SRI M. BHAKTAVATSALAM :—" It was our experts of the Government Transport who determined the market price and the Government chose to have this transaction because they found that they could get more than the market price."

SRI S. RAMALINGAM :—" இந்த நான்கு லாரிகளை இவர்களுக்கு விற்பதற்கு முன்பாக வேறு யாரிடமாவது இந்த விற்பனை சம்பந்தமாகத் தொடர்பு கொள்ளப்பட்டதா? அந்த லாரிகளுக்கு 22 ஆயிரம் ரூபாய்க்கு மேல் வேறு யாராவது ஒரு சில ஆயிரம் ரூபாய் அதிகமாகக் கொடுக்க முன் வந்தால் சர்க்கார் அவர்களுக்கு விறக முன் வருமா? "

THE HON. SRI M. BHAKTAVATSALAM :—" There are still more than four lorries for disposal and I would certainly be obliged to the hon. Member if he could help me in getting more than the market price for them, and let me see whether they would fetch anything more than the market price. Regarding the other four lorries, though the transaction has been completed still I would try whether we could get more than Rs. 22,000."

SRI V. BALAKRISHNAN :—" May I know whether the sale of these lorries was advertised widely and whether it was effected in open, broad daylight? "

THE HON. SRI M. BHAKTAVATSALAM :—" All these transactions are done only in day-light and not during the night. There was no advertisement."

SRI S. S. KOLKEBAIL :—" May I know how many Hon. Ministers of this Government are on the Congress Reception Committee? "

MR. SPEAKER :—" What has that to do with this question? "

THE HON. SRI M. BHAKTAVATSALAM :—" The question must be put to the Reception Committee."

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SRI M. NARAYANA KURUP :—“ Irrespective of the question of loss or gain involved in a particular case, are not the Government setting up a very bad precedent by selling Government property by private sale rather than by public tender? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ There are extraordinary cases. The Government are also interested in getting the maximum price for these old used lorries and, therefore, this is not a wrong precedent.”

SRI K. VINAYAKAM :—“ May I know, who is that lucky organizer of the Congress Session at Avadi, to whom they were sold? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ They were sold to the Reception Committee.”

SRI K. VINAYAKAM :—“ Who is the organizer of the Committee? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ To-day there may be one organizer. To-morrow there may be another organizer.”

SRI T. C. NARAYANAN NAMBIAR :—“ Is it a fact that when the question of the sale of these lorries came up before the Government, the then Chief Minister, Sri C. Rajagopalachari, got these lorries examined by a mechanical engineer and the minimum price was fixed at Rs. 9,000? Now, the Hon. Minister said in his statement, that it was sold for a lesser amount. What is the changed situation—apart from a change in the Ministry—which warranted a reduction in the selling price of these lorries? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ I have no such information with me. If Rs. 9,000 or anything more than that had been offered, these lorries would have been long ago disposed of.”

SRI M. KALYANASUNDRAM :—“ இந்த லாரிகள் ஸ்ரீ ராமநாத் கோயங்காவுக்கு விற்கப்பட்டன என்பது உண்மையா? காங்கிரஸ் செஷனுக்கு உபயோகப்படுத்தப்பட்ட பிறகு அந்த லாரிகள் ராமநாத் கோயங்காவையே சேர்ந்தது என்ற அடிப்படையில் அவர் பேரிலே விற்கப்பட்டிருக்கிறது என்பதும் உண்மையா, இல்லையா? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ I know that Sri Ramanath Goenka is a member of the Reception Committee and he has been taking an active part in it. But this transaction is with reference to the requirements of the Congress Committee and not of Sri Ramanath Goenka.”

SRI A. RATNAM :—“ கனம் சபாநாயகர் அவர்களே, நான் கேட்க வேண்டுமென்று விரும்பிய கேள்வியையே ஸ்ரீ கல்யாணசுந்தரம் கேட்டார்கள்.”

MR. SPEAKER :—“ அப்பொழுது நீங்கள் கேள்வி கேட்காவிட்டால் உட்கார்ந்து கொள்ளுங்களேன்.”

SRI A. RATNAM :—“ அவரது கேள்விக்கு கனம் மந்திரி அவர்கள் அளித்த பதிலின்மேல் ஒரு உப கேள்வி கேட்க விரும்புகின்றேன். இந்த

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நான்கு லாரிகளும் காங்கிரஸ் செஷன் ஆர்கனைலிங் கமிட்டிக்கு விற்கப் பட்டதாக கனம் மந்திரி அவர்கள் சொன்னார்கள். ஆனால் அந்த லாரிகள் ஸ்ரீ கோயங்காவின் பேரிலேயே விற்கப்பட்டிருக்கின்றன. பில் அவர் பேரிலேயேதான் போடப்பட்டிருக்கின்றன என்பதை கனம் மந்திரி அவர்களால் மறுக்க முடியுமா? காங்கிரஸ் செஷன் முடிந்த பிறகு அந்த லாரிகள் யாருக்குக் கொடுக்கப்படும் என்பதை கனம் மந்திரி அவர்கள் சொல்வார்களா ? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ About the name of the person to whom the bill is addressed, I would like to have notice. I have no information with me just now. To whomsoever we have once sold these lorries, it is for them to dispose of them.”

SRI V. R. KRISHNA AYYAR :—“ In view of the fact that the ruling party is the Congress Party and the Reception Committee of the Congress Party has purchased them, would the Government see that such a sale which savours very ill and even suggests something not very creditable, is not repeated hereafter? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ I do not at all accept the premise of the hon. Member that it savours anything ill.”

SRI K. T. RAJU :—“ கனம் சபாநாயகர் அவர்களே, இந்த லாரிகளை விற்குதல் அதை யார் ஒருவர் பேரிலாவது தானே விற்கவேண்டும். ஆகவே அந்த லாரிகள் யார் பேரிலே விற்கப்பட்டிருக்கின்றன என்று கனம் மந்திரி அவர்கள் சொல்வாரா ? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ I have already stated that I do not have that information just now.”

SRI C. KANDASAMY :—“ இம்மாதிரி லாரிகளை வாங்க ஏற்கனவே கார்ப்பொரேஷன் பேச்சு வார்த்தைகள் நடத்தின என்று சொன்னார். காங்கிரஸ் வரவேற்புக் கமிட்டிக்கு விற்பதையும், சென்னைக் கார்ப்பொரேஷனுக்கு விற்பதையும் ஒரே தரத்தில் வைத்துப் பார்க்கக்கூடாது என்பதை கனம் மந்திரி அவர்கள் உணர்கிறார்களா ? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ If it is a question of any facility or concession or consideration, I do agree with the hon. Member that a distinction has to be made between the Corporation and an institution like the Congress, a political organization. There is no question of showing any consideration in this transaction.”

SRI S. T. ADITYAN :—“ Are these the only lorries which show a ‘ nil ’ value in the books? Are there also other lorries which show ‘ nil ’ value according to the books? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ Most of the lorries show ‘ nil ’ value according to the books.”

SRI K. VINAYAKAM :—“ In view of the momentary importance which this subject has gained on the floor of this House, may I request the Chair to allow a half-hour debate on it? ”

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MR. SPEAKER :—" I will allow the half-hour debate but when does the hon. Member want it? Shall we have it tomorrow? "

SRI K. VINAYAKAM :—" To-morrow, being Friday, is a Sabbath day for us, Hindus, and we have to go to temple."

MR. SPEAKER :—" The hon. Member can go after 5-30 p.m."

Retrenchment in the Commonwealth Tile Factory, Feroke.

11-20 a.m. * 291 Q.—SRI K. P. GOPALAN : Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether it is a fact that the management of the Commonwealth Tile Factory, Feroke, retrenched eight workers on 21st July 1954 without paying them any compensation thus violating section 25-F of the Industrial Disputes Act, 1947, as amended in 1953; and

(b) if so, what action the Government have taken in the matter?

THE HON. SRI M. BHAKTAVATSALAM :—" (a) & (b) Government have no information. A report has been called for from local officers and suitable action will be taken, if necessary."

National Cadet Corps.

* 151 Q.—SRI V. R. KRISHNA AYYAR : Will the Hon. the Minister for Finance be pleased to state—

(a) whether the Government have received any promise of financial aid from the Centre for starting additional National Cadet Corps Units in schools and colleges;

(b) if so, in how many additional institutions the Government propose to start such units in the next academic year; and

(c) how many, if any, in North Malabar?

THE HON. SRI C. SUBRAMANIAM :—" (a) Yes, Sir. The Government of India have agreed to bear about 50 per cent of the total expenditure on National Cadet Corps in the States.

" (b) & (c) This is still under consideration and a final decision will be taken in consultation with Government of India."

SRI V. R. KRISHNA AYYAR :—" In view of the fact that for building up a brave, new Bharat which is our primary task a new generation of strong, disciplined and educated young men should be built up immediately, would the Government cast off its timid and tepid policy in starting National Cadet Corps Units in schools and colleges and make it compulsory that every school and college should have a National Cadet Corps Unit? "

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THE HON. SRI C. SUBRAMANIAM :—“ I am grateful to the hon. Member for the adjectives he has used with regard to the policy of the Government in starting National Cadet Corps Units. I am doing my very best to sanction National Cadet Corps Units in as many schools and colleges as possible in the circumstances, in the State.”

SRI M. PALANIYANDI :—“ சார், இந்த மாகாணத்திலே எத்தனை பெண்கள் கல்லூரிகளில் இந்த என்.ஸி.ஸி. யூனிட்கள் இருக்கின்றன என்று மந்திரி அவர்கள் சொல்ல முடியுமா ? ”

THE HON. SRI C. SUBRAMANIAM :—“ If I remember aright, I think I have sanctioned National Cadet Corps Units only for the Queen Mary's College.”

SRI O. KORAN :—“ May I know whether it is a fact that the Government have not sanctioned a National Cadet Corps Unit for the Board High School, Valapad, in Malabar district for want of funds and if so, when the Government propose to sanction the same? ”

THE HON. SRI C. SUBRAMANIAM :—“ I do not have information about individual institutions.”

SRI K. PARTHASARATHY :—“ In view of the statement of the Hon. the Finance Minister that the Government are proposing to start additional National Cadet Corps Units in schools and colleges, will the Government give an assurance that they will consider the proposal of sanctioning one National Cadet Corps Unit at least in one institution in each taluk? ”

THE HON. SRI C. SUBRAMANIAM :—“ The main difficulty is that we should have an armoury to keep arms. I have suggested to the Government of India that, as far as the Junior National Cadet Corps Units are concerned, regular armed practice is not necessary and that they can deal with dummy guns. That proposal is now under the examination and consideration of the Government of India.”

DR. K. B. MENON :—“ May I know what are the financial responsibilities of schools where a National Cadet Corps Unit has been started and what share of the expenditure is contributed by the Government? ”

THE HON. SRI C. SUBRAMANIAM :—“ I want notice.”

SRI K. V. RAMASWAMI :—“ கிராமப் புறங்களில் படித்துவிட்டு வேலையில்லாது இருக்கும் வாலிபர்களுக்கு இந்த என்.ஸி.ஸி. யூனிட்டில் வேலை கொடுத்துதவுவது பற்றி சர்க்கார் யோசிக்குமா ? ”

THE HON. SRI C. SUBRAMANIAM :—“ This is not a job, Sir.”

SRI P. B. K. RAJACHIDAMBARAM :—“ May I know whether the Government are receiving any grant from the Central Government for the formation of auxiliary National Cadet Corps Units in High Schools in the State? ”

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THE HON. SRI C. SUBRAMANIAM :—“ Yes, Sir. We get financial aid from the Centre for the formation of auxiliary National Cadet Corps Units.”

SRI K. ARANGANATHAN :—“ In view of the fact that there is an armoury in every police station, may I know whether the Government will consider the question of sanctioning National Cadet Corps Units in High Schools at taluk headquarters? ”

THE HON. SRI C. SUBRAMANIAM :—“ The armoury in the police station may not be sufficient for this purpose.”

SRI S. R. ARUMUGAM :—“ இந்த என்.ஸி.ஸி. பயிற்சிக் கொடுப்பவர்களுடைய சர்வீஸ் இன்னும் Regularize ஆகாமல் இருக்கின்றன. அதை Regularize பண்ணுவதற்கு சர்க்கார் யோசனை செய்யுமா என்று கேட்டுக் கொள்ளுகிறேன்.”

MR. SPEAKER :—“ இது வேறு கேள்வி . . . ”

SRI A. RAMASAMI TEVAR :—“ May I know whether the Hon. Minister for Finance will consider the proposal to form a National Cadet Corps Unit for Members of the Assembly and chiefly for Ministers of the Government to acquire more discipline within the four walls of the Assembly? ” (Laughter.)

MR. SPEAKER :—“ It is an insult to say that the House has got no discipline. We have got perfect discipline. As regards the question of forming a National Cadet Corps Unit for the Members of the Assembly, the Hon. Minister may answer if he wishes.”

THE HON. SRI C. SUBRAMANIAM :—“ I think I should leave that question to the Chair to decide.”

SRI V. R. KRISHNA AYYAR :—“ In North Malabar, the Brennen College, Tellicherry, is the only college. The students of that college and the public requested the Government to sanction a National Cadet Corps Unit for that college but the Government have not acceded to their request. When the new scheme is being drawn up, may I know whether the Government will consider sanctioning a Unit for the college boys and also a unit for girl students in Malabar? ”

THE HON. SRI C. SUBRAMANIAM :—“ It is not merely a demand or request from the public or the students which should finally decide whether a National Cadet Corps Unit should be started or not. The facilities available for forming a National Cadet Corps Unit will have to be taken into consideration and accordingly we are taking decisions. I hope it will be possible to start a National Cadet Corps Unit in one of the colleges in the West Coast next year.”

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Scheme for housing industrial workers.

* 152 Q.—SRI K. P. GOPALAN : Will the Hon. the Minister for Agriculture be pleased to state whether the Government have under consideration any scheme for housing the industrial workers in the State and if so, at what stage it is?

THE HON. SRI M. BHAKTAVATSALAM :—“ A scheme for the construction of single storeyed one-roomed tenements in Sembiam and Erukancheri, both places within Madras City limits, for housing industrial workers is under consideration of the Government. The lay-outs and the designs relating to the scheme are being modified by the Director of Town Planning under instructions from the Government of India and on receipt of the revised lay-outs, designs and estimates from him, they will be forwarded to the Government of India for approval and sanction of financial assistance under the subsidized Housing Scheme for Industrial Workers. This is in addition to several schemes for housing employees of private industrial undertakings which have already been recommended by this Government to the Government of India for financial assistance under their Subsidized Housing Scheme.”

SRI S. PAKKIRISWAMI PILLAI :—“ May I know, Sir, the number of houses that are proposed to be constructed in the Sembiam area and in the Erukancheri area and to which category of industrial workers these tenements are proposed to be allotted? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ The scheme is for the construction of 506 tenements in the Sembiam area and 417 tenements in the Erukancheri area. Though the cost of construction for each tenement is within the amount allowed by the Government of India, the value of the land and the cost of the development of the area have exceeded the limit prescribed by the Government of India. The latter has been requested to relax the rules in this connection. After discussions with the Government of India, revised proposals have been submitted for the construction of 506 tenements in the Sembiam area and 417 tenements in the Erukancheri area for their consideration. These tenements are intended for the use of workers employed in Government industrial undertakings.”

SRI M. R. RAMACHANDRAN :—“ May I know whether the Government will instruct the Madras City Improvement Trust to construct tenements for industrial workers and also make them owners of the tenements occupied by them in the course of ten or twenty years? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ This is a different question from the main one and will be answered separately if notice is given.”

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SRI M. PALANIYANDI:—“சார், இந்த Industrial Housing Scheme சார்பாக மத்திய அரசாங்கம், சென்னை அரசாங்கத்திற்கு எவ்வளவு தொகை ஒதுக்கியிருக்கிறது? அதில் நம்முடைய அரசாங்கம் எவ்வளவு தொகையை உபயோகித்திருக்கிறார்கள் என்பதைச் சொல்ல முடியுமா?”

Filling up of vacancies in the seats reserved for Scheduled Castes in Government professional colleges.

* 153 Q.—**SRI K. ARANGANATHAN:** Will the Hon. the Minister for Public Works be pleased to state—

(a) how the vacant seats in the seats reserved for Scheduled Castes in the various Government professional colleges were filled up; and

(b) whether the same was distributed district-war in proportion to the population?

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI:—“(a) Vacancies in the seats reserved for the Scheduled Castes and Scheduled Tribes were added on to the general pool for the City of Madras and were filled up by the candidates in the General pool of the City.

“(b) No, Sir.”

SRI K. ARANGANATHAN:—“May I know why the Government have failed to allot all the vacant seats in the seats reserved for Scheduled castes in the Professional Colleges to backward class students as they are next to Harijans and also why the vacancies in the seats were not distributed district-war?”

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI:—“No Sir. Twenty-five per cent of the total seats have been reserved for students of the Backward Classes and it is not proposed to increase the percentage further. That is why the vacant seats in the seats reserved for Scheduled Castes have been added on to the general pool for the City of Madras. We have many educational institutions in the City and we thought it fit to allot them to the General pool of the City.”

11-30
a.m.

SRI K. VINAYAKAM:—“Sir, inasmuch as the vacancies allotted to the Scheduled Caste students are going into the general pool and filled up by students in the City of Madras, is it not a subterranean method adopted by the Government to encourage the forward communities in Madras to get seats? Should not the seats allotted to Scheduled Castes and not taken by them be given to the backward class students from the City of Madras instead of giving them to the forward class students?”

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI:—“I have no knowledge of what the hon. Member says. But these are the principles on which the seats are filled up. And these principles apply not only to the Engineering College which is the only College under my charge. There are other professional colleges, like the Medical Colleges, etc.”

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SRI V. R. NAGARAJAN :—“ Sir, will the Hon. Minister be pleased to state whether there are any cases of students of the backward class communities who did not get or who were refused admission in the Engineering College, beyond the 25 per cent fixed for them? ”

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“ It has been limited to 25 per cent and on the other case, it has not been decided.”

THE HON. SRI C. SUBRAMANIAM :—“ Sir, the backward classes form about 32 per cent or 33 per cent of the population”

SRI K. VINAYAKAM :—“ No, Sir, they are more than 50 per cent”

THE HON. SRI C. SUBRAMANIAM :—“ It is wrong. The hon. Member may go through the census figures”

SRI K. VINAYAKAM :—“ No, no. The official figures are wrong”

MR. SPEAKER :—“ Order, order. The Hon. Minister is not yielding.”

THE HON. SRI C. SUBRAMANIAM :—“ And as a matter of fact, 45 per cent of the seats are being obtained by the backward classes. There are also the others whose requirements have to be met.”

SRI R. S. ARUMUGAM :—“ தாழ்த்தப்பட்டவர்களுக்கென ஒதுக்கப் பட்டிருக்கும் ஸ்தானங்களில் காலி ஏற்பட்டால், தாழ்த்தப்பட்ட கிருத்தவர்களுக்கு அவைகள் கொடுக்கப்படவேண்டும். அதுதான் நியாயம். இதை சர்க்கார் ஆலோசனை செய்வார்களா ? ”

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“ It has no bearing on this issue. There is no class like ‘ தாழ்த்தப்பட்ட கிருத்தவர்கள் ’.”

SRI M. JAGANNATHAN :—“ If the information is available with the Hon. Minister, may I know in how many professional Colleges in the City of Madras, seats reserved for schedule castes fell vacant? ”

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“ A separate question may be put, Sir.”

SRI K. VINAYAKAM :—“ Sir, before the Cabinet of the Madras State took a decision to the effect that the seats falling vacant in the reserved seats for the Scheduled Castes should be given to the general pool in the City of Madras, did not some hon. Members of this House—Mr. Balakrishnan and I also—represent this matter to the Cabinet Ministers, especially the Hon. Minister Sri A. B. Shetty to revise their decision on the ground that the seats falling vacant from out of the seats reserved for the

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Scheduled Castes should naturally go to the backward classes? What is the outcome of that representation and why was the request of this backward community M.L.As. rejected?"

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—" I am sorry I cannot answer in respect of a representation made to my colleague. About the representation itself I hear of it only now for the first time."

MR. SPEAKER :—" I have placed 40 questions for to-day and I have to finish them. So, I pass on to the next question."

Shifting of Rent Control Courts to the High Court buildings.

* 154 Q.—SRI A. RATNAM : Will the Hon. the Minister for Finance be pleased to state—

(a) whether the Government have consulted the Chief Justice about the possibility of shifting the City Civil Courts and Rent Control Courts to the High Court buildings on account of the formation of the Andhra High Court; and

(b) the monthly rent paid for the buildings where the Rent Control Courts are located in the City?

THE HON. SRI C. SUBRAMANIAM :—" (a) The City Civil Courts are all accommodated in the High Court premises. The High Court has been consulted about the possibility of accommodating other quasi Judicial Offices in the High Court buildings.

" (b) Rs. 270 per mensem."

SRI A. RATNAM :—"ஆந்திர ராஜ்யம் பிரிந்த பிறகும் வாடகைக் கட்டுப்பாடு கோர்ட்டுகள் அவசியப்படுகின்றனவா? வாடகைக் கட்டுப்பாடு கோர்ட்டுகளையும் ஸ்ரீடி ஸ்ரீலிஷ் கோர்ட்டையும் ஹைகோர்ட் கட்டிடங்களுக்கு என் மாற்றக்கூடாது என்று கேட்கிறேன்."

THE HON. SRI C. SUBRAMANIAM :—" There is no room available there."

Equitable distribution of tractors and bulldozers among Madras, Andhra and Mysore States.

* 155 Q.—SRI K. ARANGANATHAN : Will the Hon. the Minister for Agriculture be pleased to state—

(a) the steps taken to get back the tractors and bulldozers that were left in the Andhra State at the time of separation; and

(b) the results of the steps so taken?

THE HON. SRI M. BHAKTAVATSALAM :—" The question of securing an equitable distribution of all valuable movable properties including tractors and bulldozers among the three States (Residuary Madras, Andhra and Mysore) is under the consideration of the Government."

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SRI K. ARANGANATHAN :—“ Sir, in answer to a question put by me previously, the Hon. Minister gave the information that two tractors and a bulldozers were held up in the Andhra State. He also informed us that all steps were being taken to bring them to Madras State. I want to know what further action was taken in the matter and what the result is.”

THE HON. SRI M. BHAKTAVATSALAM :—“ Sir, the whole matter is under discussion with the Andhra Government. I would like to submit that it is not in the general interests to go more into details at this stage.”

Exclusion of the Anandji Kalyanji Jain Temple Trust, Kozhikode, Malabar, from the scope of the Madras Buildings (Lease and Rent Control) Act.

* 156 Q.—SRI K. P. GOPALAN : Will the Hon. the Minister for Public Works be pleased to state—

(a) whether it is a fact that the Anandji Kalyanji Jain Temple Trust, Kozhikode, Malabar, is exempted by the Government from all the provisions of the Madras Buildings (Lease and Rent Control) Act; and

(b) if so, the reasons therefor?

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“ (a) ‘ Yes, Sir ’.

“ (b) It was reported that some of the buildings had to be demolished and some others required major repairs. Also, 61 out of 65 tenants had no objection to the grant of exemption. In view of these facts and of the fact that the buildings were owned and managed by the Temple Trust, the Collector of Malabar recommended exemption and it was granted by Government.”

SRI K. P. GOPALAN :—“ Is it a fact, Sir that this Jain Temple has got properties worth some lakhs of rupees and that they are charging exorbitant rents from their tenants? May I know from the Hon. Minister why this temple is given exemption and whether Government received any deputation from Congress Leaders in this regard? ”

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“ Sir, the information with me is that this Temple Trust has no other income except this and this income is hardly sufficient to meet charges on repairs to buildings, etc. And then 61 out of 65 tenants have accepted the enhancement in rent thinking that it was reasonable and only four have objected. On top of it, the Collector has recommended the request for exemption and it is that which prompted the Government to take this action.”

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Agrarian trouble in Padne village, South Kanara.

* 157 Q.—SRI M. NARAYANA KURUP: Will the Hon. the Minister for Revenue be pleased to state—

(a) whether any representation was received from Sri Meloth Narayanan Nambiar, M.L.A., on 7th May 1954, regarding agrarian unrest in Padne village, Hosdrug sub-taluk, South Kanara; and

(b) if so, the action taken thereon?

THE HON. SRI M. A. MANICKAVELU NAICKER :—“(a) Yes.

“(b) The Collector of South Kanara was asked to use his good offices to see that an amicable settlement was reached between the landlord and the tenants. The two parties have since settled their differences and have assured the Revenue Divisional Officer, Puttur, that they would not create any further trouble in the locality.”

* 158 Q.—SRI M. NARAYANAN NAMBIAR: Will the Hon. the Minister for Revenue be pleased to state—

(a) whether the Government have received any representation, dated the 3rd May 1954, on behalf of the Kasargod Taluk Praja Socialist Party and Hindu Kisan Panchayat, regarding agrarian unrest in Padne village, Kasargod taluk, South Kanara; and

(b) if so, the action taken thereon?

THE HON. SRI M. A. MANICKAVELU NAICKER :—“(a) Yes.

“(b) The attention of the hon. Member is invited to the answer to question No. 157.”

Hunger-strike in the Sub-Jail, Kulithalai, Tiruchirappalli district.

* 159 Q.—SRI M. KALYANASUNDRAM: Will the Hon. the Minister for Finance be pleased to state—

(a) whether it is a fact that the prisoners lodged in the Sub-Jail, Kulithalai, Tiruchirappalli district, went on a hunger-strike on the 10th September 1954, as a mark of protest against allowing the Sub-Inspector of Police to beat some of the prisoners;

(b) whether it is a fact that some of the prisoners who took part in the hunger-strike were transferred to Tiruchirappalli Central Jail;

(c) whether any enquiry was made into the grievances of the prisoners; and

(d) if so, the result of such an enquiry?

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THE HON. SRI C. SUBRAMANIAM :—“(a) There was no hunger-strike in the sub-jail at Kulithalai, Tiruchirappalli district, on the 10th September 1954. No inmate was beaten by any of the Police officials.

“(b) In view of the answer to clause (a), this does not arise.

“(c) No prisoner made any complaint and so there was nothing to enquire about.

“(d) Does not arise.”

SRI M. KALYANASUNDRAM :—“மந்திரி அவர்கள் கொடுத்த பதிலிலிருந்து எப்படி ஒரு பெரிய சம்பவமானது அதிகாரிகளால் அழுக்கப் பட்டிருக்கிறது என்பது வெளியாகிறது. எனக்கு நன்றாகத் தெரியும். குளித்தலை சப்ஜெயிலில் இருக்கக்கூடிய விசாரணைக் கைதிகள் இரண்டு பேரை போலீஸ் ஸ்டேஷனுக்கு அழைத்துப்போய், மாஜிஸ்ட்ரேட்டின் அனுமதியின் பேரில் அடித்தார்கள் அதன் விளைவாக அங்கிருக்கக்கூடிய கைதிகள் அனைவரும் ஒரு நாள் பூராவும் சாப்பிடாமலிருந்து மறுநாள் உணவு அருந்தியிருக்கிறார்கள். அப்படியிருக்கும்போது, அதிகாரிகள் எப்படி இவ்விதமான ரிபோர்ட்டை அனுப்பியிருக்கிறார்கள் என்பது எனக்கு விளங்கவில்லை. இந்தக் கேள்வியை நான் கொடுத்த நேரக்கமே, சர்க்கார் இது விஷயத்தில் ஒரு விசாரணை நடத்தவேண்டும் என்பதற்காகத்தான். கைது செய்யப்பட்ட 24 மணி நேரத்திற்குள் மாஜிஸ்ட்ரேட்டிடம் கைதிகளை ஒப்புவிக்க வேண்டுமென்று இருக்கிறது. விசாரணைக் கைதிகளைப் பாதுகாப்போடு மாஜிஸ்ட்ரேட்டிடம் கொண்டுவரவதற்குப் பதில் அவர்களைப் போலீஸ் காரர்கள் தாக்குவதென்றால் அது மிக ஆபத்தானது. ஆகவே, சர்க்கார் இது விஷயத்தைப்பற்றி விசாரணை நடத்துவார்களா என்று அறிய விரும்புகிறேன்.”

THE HON. SRI C. SUBRAMANIAM :—“Sir, my information shows that nobody was beaten. If the hon. Member asserts, I want to know whether he was an eye-witness there or he heard about this from somebody else. The official report says that no one was beaten as alleged.”

SRI M. KALYANASUNDRAM :—“இதை நான் நேரில் பார்க்கவில்லை என்பது உண்மை. ஆனால், நான் சொன்ன விவரங்கள் உண்மை என்பது எனக்கு நிச்சயமாகத் தெரியும். ஜில்லா முன்சீப்மைக்கொண்டோ, ஜில்லா கலெக்டரைக்கொண்டோ பகிரங்கமாக விசாரணை நடத்துவதற்கு மந்திரி அவர்கள் உடன்படுவார்களா என்று நான் கேட்கிறேன்.”

THE HON. SRI C. SUBRAMANIAM :—“I have got the Collector's report with me and based on that only I am giving my replies that no one was beaten there.”

Development of Fisheries.

* 160 Q.—**SRI A. RATNAM :** Will the Hon. the Minister for Agriculture be pleased to state—

(a) the nature of the review of research carried out in the State in Fisheries;

(b) whether the development of Fisheries has been included in the “Grow More Food Campaign”;

(c) the extent of financial assistance to the State for this purpose from the Central Government; and

(d) the total number of small tanks and ponds controlled by the Government for the development of Fisheries?

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THE HON. SRI M. BHAKTAVATSALAM :—“(a) Marine, fresh water and technological research are carried out in the Fisheries department, in the different Fisheries Research Stations in the State.

“(b) The answer is in the affirmative.

“(c) Rs. 293,994 during 1953–54.

“(d) 130 tanks and 15 ponds.”

Continuance of accommodation and rent control in the City.

* 161 Q.—SRI A. RATNAM : Will the Hon. the Minister for Public Works be pleased to state—

(a) whether the Government received a copy of the resolution from the Thyagaraya Nagar Civic Association passed on the 13th July 1954 urging the Government to remove accommodation and rent control as the housing problem has eased in the City after the formation of the Andhra State; and

(b) the reasons for still continuing the Accommodation and Rent Control offices?

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“(a) Yes, Sir.

“(b) The need for the continuance of accommodation and rent control still exists and the life of the Madras Buildings (Lease and Rent Control) Act, extends up to the 30th September 1955. Therefore, the posts of Accommodation and Rent Control Officers are continued for work connected with the administration of the Act.”

Mobile Courts in the City.

* 162 Q.—SRI N. K. PALANISAMY : Will the Hon. the Minister for Finance be pleased to state whether the Government have set up any mobile courts in the City of Madras for the trial of cases relating to town nuisances and cutting of avenue trees?

THE HON. SRI C. SUBRAMANIAM :—“Yes, Sir.”

SRI N. K. PALANISAMY :—“May I know what is the advantage of having mobile courts over the existing Presidency Magistrate Courts?”

THE HON. SRI C. SUBRAMANIAM :—“They can dispose of the cases then and there, on the spot.”

Constitution of a Board of Visitors for the Karnataka Polytechnic, Mangalore.

* 163 Q.—SRI M. S. MOGRAL : Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether any Polytechnics Advisory Committee has been constituted for the South Kanara district and if so, since when;

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(b) how many meetings of the Committee were held in the year 1953-54; and

(c) what are the functions of that Committee?

THE HON. SRI M. BHAKTAVATSALAM :—“(a) Yes. A Board of Visitors has been constituted for the Karnataka Polytechnic, Mangalore, in May 1954.

“(b) As the constitution of the Board was ordered by Government only in May 1954, no meetings were held in the year 1953-54.

“(c) Its functions are as follows :—

- (1) Visit to Polytechnics as many times as possible, at least once every month.
- (2) Offer advice in regard to requirements of technical personnel for industrial development.
- (3) Suggest possible improvements in training facilities.
- (4) Assist as far as possible in the absorption of the trainees on completion of course either as apprentices or employees.
- (5) Devise and initiate measures for arranging post-polytechnic training.”

SRI N. N. SUVARNA :—“For how long has this committee been in existence and is there any prospect of any change in the personnel of the committee in the near future?”

THE HON. SRI M. BHAKTAVATSALAM :—“The committee has been appointed for a period of three years with effect from the 1st July 1954.”

Maternity and Child Welfare Centres in the State.

* 164 Q.—SRI M. S. MOGRAL : Will the Hon. the Minister for Health be pleased to state—

(a) how many maternity and child welfare centres are now functioning in the State; and

(b) how many of them are in South Kanara district?

THE HON. SRI A. B. SHETTY :—“(a) 449, Sir.

“(b) 31, Sir.”

SRI M. S. MOGRAL :—“May I know whether maternity centres will be opened under the National Extension Service schemes?”

THE HON. SRI A. B. SHETTY :—“Several maternity centres have been opened in the Community Project areas and it is open to the local authorities to open maternity centres at any place if their financial position permits it.”

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Modified scheme of elementary education.

* 165 Q.—SRI K. KUNHI MOHAMED SHAFEE: Will the Hon. the Minister for Finance be pleased to state—

(a) whether the Government have received any representation from the South Indian Estates' Labour Union or any other public organization requesting the Government to re-introduce the modified scheme of elementary education in any area of the State;

(b) if so, the nature of the representation made; and

(c) the action taken by the Government thereon?

THE HON. SRI C. SUBRAMANIAM :—“(a) No, Sir.

“(b) & (c) Do not arise.”

Nilambur-Kovilagam Forests in Malabar.

* 166 Q.—SRI P. K. GOPALAKRISHNAN (on behalf of Sri K. C. Gopalan Unni): Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether the Government have any proposal to take over the private forests in Nilambur belonging to Nilambur-Kovilagam in Malabar district;

(b) if so, when the proposal will be implemented; and

(c) whether the Government have any similar proposal to take over any other private forests in Malabar district?

THE HON. SRI M. BHAKTAVATSALAM :—“(a), (b) & (c)

The Government have under consideration the question of taking over the control of the Nilambur Kovilagam forests and some other private forests in Malabar district.”

Construction of a dam across the Chittari River at Mukkund, South Kanara.

* 167 Q.—SRI M. NARAYANAN NAMBIAR: Will the Hon. the Minister for Public Works be pleased to state whether the Government have examined the proposal to construct a dam to the Chittari River at Mukkund in Kasaragod taluk, South Kanara district, to prevent entry of salt water?

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“No.”

SRI M. NARAYANAN NAMBIAR :—“There are about 200 acres of paddy lands affected by salt water entering the fields. Will the Government please investigate the matter and put up a dam?”

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“It is under investigation. The investigation is in a very rudimentary stage but no representations have been made so far in the matter. So, nothing can be said about the usefulness of the scheme now.”

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Firing incident at Red Hills Prohibition Station.

* 168 Q.—SRI A. RATNAM: Will the Hon. Minister for Religious Endowments and Transport be pleased to state—

(a) whether any representation has been made to Government regarding firing early this year by the Prohibition Police force, in the Saidapet taluk, and if so, the cases of deaths due to the same in the slum areas of Saidapet taluk; and

(b) if so, what action has been taken?

THE HON. SRI B. PARAMESWARAN :—“(a) Yes. The residents of Naravarikuppam village, Chingleput district, sent a petition through Sri N. Ramakrishnan, M.L.A., regarding the firing incident at Red Hills Prohibition station. A child was killed as a result of the firing.

“(b) Necessary enquiries have been conducted. Disciplinary action is being taken against the Prohibition Sub-Inspector concerned in the firing incident for certain irregularities noticed on his behalf.”

SRI A. RATNAM :—“எந்த மாதிரியான நடவடிக்கையை போலீஸ் சப்-இன்ஸ்பெக்டர்மீது எடுக்கப்பட்டது என்று அறியவிரும்புகிறேன்.”

THE HON. SRI B. PARAMESWARAN :—“He has been transferred from that place and the Deputy Commissioner has been requested to take disciplinary action against the Sub-Inspector for the irregularities noticed.”

Payment of travelling allowance to the teachers of Alakkad S.V. School, North Malabar, for election duty.

* 169 Q.—SRI K. P. GOPALAN: Will the Hon. the Minister for Finance be pleased to state—

(a) whether it is a fact that the teachers of Alakkad S.V. School, Alakkad, Payyanur Firka, North Malabar, have not yet been paid their allowances for attending election classes and for duty in the last Assembly General Elections; and

(b) if so, the reasons therefor?

THE HON. SRI C. SUBRAMANIAM :—“(a) No, Sir. The travelling allowance due to the teachers of the school was paid on the 27th September 1954.

“(b) Does not arise.”

Non-payment of salary to the watchmen guarding the rice godowns in Kozhikode, Malabar.

* 170 Q.—SRI K. P. GOPALAN: Will the Hon. the Minister for Agriculture be pleased to state—

(a) why 56 watchmen employed in the Reserve Godowns, Kozhikode, Malabar, maintained by the Government, have not been given their salary since the 20th April 1954; and

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(b) why the pay of watchmen and employees in the godowns has not yet been fixed?

THE HON. SRI M. BHAKTAVATSALAM :—“(a) There are at present 61 watchmen for guarding the godowns taken over for storage of rice in Kozhikode. The pay and allowances of 47 watchmen up to the 30th June 1954 was paid on the 13th July 1954 and of the remaining 14 on the 7th August 1954.

“(b) The pay of all the employees in the godowns including watchmen has already been fixed. There was some delay in the fixation of the pay of the watchmen as they were to be paid at market rates, which had to be ascertained from the Tahsildars in the stations in which they were employed.”

Prescribing language tests as a qualification for appointment as Tahsildars.

* 171 Q.—SRI V. R. KRISHNA AYYAR : Will the Hon. the Minister for Revenue be pleased to state—

(a) whether any Tahsildars have been appointed in 1954 in the Malabar district who have not passed Malayalam test;

(b) if so, how many; and

(c) the reasons for the appointments?

THE HON. SRI M. A. MANICKAVELU NAICKER :—“(a) to (c) No language test is prescribed under the rules as a qualification for appointment as Tahsildars. The particulars required by the Member are not, therefore, furnished.”

SRI V. R. KRISHNA AYYAR :—“In view of the fact that they have got to handle their business in Malayalam, is not conversance with or a knowledge of Malayalam a *sine qua non* for their functioning usefully? Will the Government, therefore, try to appoint, as far as possible, only those persons as Tahsildars in Malabar who are familiar with that language, which is the language of the people?”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“I agree with the hon. Member.”

SRI K. VINAYAKAM :—“May I know whether there are any Malayalee Tahsildars in Tamil areas, and if so, whether they are not able to carry on the administration in Tamil and English, without any knowledge of the Tamil language?”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“There is not much difference between Malayalam and Tamil. So, they are able to carry on the administration.” (Laughter.)

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Protected water-supply to Cumbum Valley.

* 172 Q.—SRI N. K. PALANISAMY: Will the Hon. the Minister for Health be pleased to state—

(a) whether a representation was received on 30th March 1954 by the Government from the Panchayat Board, Chinnamanur, Madurai district, with regard to a combined protected water-supply scheme for Cumbum Valley; and

(b) if so, the action taken thereon?

THE HON. SRI A. B. SHETTY :—“(a) Yes, Sir.

“(b) The Government have sanctioned the preparation of the plans and estimates for the combined water-supply scheme covering eight villages of which Chinnamanur is one.”

SRI N. K. PALANISAMY :—“May I know when the work will be taken up?”

THE HON. SRI A. B. SHETTY :—“As soon as the plans and estimates are ready, administrative sanction for the execution of the work will be given.”

Dispute between the management and workers of the Lakshmi Saw Mills, Limited, Kasaragod, South Kanara.

* 173 Q.—SRI K. P. GOPALAN: Will the Hon. the Minister for Agriculture be pleased to state what conciliation efforts the Government have taken in the dispute between the management of the Lakshmi Saw Mills, Limited, Kasaragod, South Kanara, and the Timber and Saw Mills Workers' Union on the dismissal of two workers by the management on the 13th July 1954?

THE HON. SRI M. BHAKTAVATSALAM :—“The Labour Officer, Kozhikode, held conciliation proceedings on the 24th August 1954, when a settlement was reached between the Union and the management.”

Construction of a sluice for Paloli Thodu, Puthuppanam, North Malabar.

* 174 Q.—SRI M. NARAYANA KURUP: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether there is any proposal to construct a sluice for Paloli Thodu, Puthuppanam, Kurumbranad taluk, North Malabar; and

(b) if so, the stage at which the matter stands now?

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“(a) & (b) The Government have dropped the scheme, after examination, as the benefits anticipated from the scheme will not be commensurate with the expenditure involved.”

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Abolition of the First-class Bench Court at Erode.

* 175 Q.—SRI N. K. PALANISAMY: Will the Hon. the Minister for Finance be pleased to state whether the First-Class Bench Court at Erode has been abolished?

THE HON. SRI C. SUBRAMANIAM:—“The First-class Bench Court at Erode is not functioning since October 1953.”

SRI N. K. PALANISAMY:—“இந்தக் கோர்ட்டை இந்த இடத்திலிருந்து எடுத்ததினால் ஜனங்கள் அதிக கஷ்டப்படுகிறார்கள். மறுபடியும் ஒரு கோர்ட்டை அமைப்பதற்கு சர்க்கார் உத்தேசித்திருக்கிறதா?”

THE HON. SRI C. SUBRAMANIAM:—“Yes, Sir. The Collector has been instructed to make proposals for the constitution of a court at Erode.”

Stock of paddy and rice in Malabar.

* 176 Q.—SRI P. K. GOPALAKRISHNAN (on behalf of Sri K. C. Gopalan Unni): Will the Hon. the Minister for Agriculture be pleased to state—

(a) the amount of paddy and rice in stock in Malabar district on 11th July 1954; and

(b) whether the Government have any proposal to reduce the price of rice and paddy issued through fair price depots?

THE HON. SRI M. BHAKTAVATSALAM:—“(a) There was a stock of 34,460 tons of rice and 7,814 tons of paddy in Malabar district as on the 11th July 1954.

“(b) No, Sir.”

SRI P. K. GOPALAKRISHNAN:—“In view of the fact that the prices of paddy and rice sold through the fair price shops are higher than the market rate and in view of the fact that stocks of such paddy and rice have got accumulated, will the Government consider the question of selling these at reduced rates—the prices being reduced to the level of market rates?”

THE HON. SRI M. BHAKTAVATSALAM:—“There is no question now of reducing the prices of stocks sold at the fair price shops because the Government see that there is no need for such shops at all since rice is freely available at reasonable rates in the open market.”

SRI M. NARAYANA KURUP:—“In view of the fact that there is no need for fair price shops now, may I know whether the Government have taken over all stocks held by private owners and the producer-cum-consumer co-operative societies in Malabar?”

THE HON. SRI M. BHAKTAVATSALAM:—“I would like to have notice.”

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Drinking water-supply schemes for villages.

* 177 Q.—SRI M. S. MOGRAL : Will the Hon. the Minister for Health be pleased to state the total amount promised by the Central Government to Madras State to aid the Local Development Works for promoting drinking water-supply schemes for villages?

THE HON. SRI A. B. SHETTY :—“ Rupees 29·7 lakhs, Sir.”

SRI M. S. MOGRAL :—“ May I know when this amount will be made available to the State? ”

THE HON. SRI A. B. SHETTY :—“ It is available and works are going on.”

Acquisition of lands by the Director of Harijan Welfare for house-sites.

* 178 Q.—SRI A. RATNAM : Will the Hon. the Minister for Religious Endowments and Transport be pleased to state—

(a) the extent of land acquired by the Director of Harijan Welfare for purposes of house-sites in the year 1952-53;

(b) the number of families provided with house-sites; and

(c) the number of applications for house-sites not granted?

THE HON. SRI B. PARAMESWARAN :—“ (a) Acres 440, cents 38.

“ (b) 6,781.

“ (c) 75.”

Construction of bunds for Bavuvalappil Chal and Pakrinta Chal at Matool, North Malabar.

* 179 Q.—SRI K. P. GOPALAN : Will the Hon. the Minister for Public Works be pleased to state— 11-50 a.m.

(a) whether it is a fact that the Government have prepared a scheme to construct bunds for Bavuvalappil Chal and Pakrinta Chal at Matool, Chirakkal taluk, North Malabar, for the purpose of preventing the entry of salt water and for purposes of irrigation; and

(b) if so, the steps taken by the Government to implement the schemes?

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“ (a) The schemes are under consideration in connexion with the co-ordinated development of Maduyi area in Chirakkal taluk and under the Special Minor Irrigation Programme.

“ (b) Detailed plans and estimates in respect of the schemes are under preparation.”

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Export of potatoes.

* 180 Q.—SRI A. RATNAM: Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether any memorandum was received by the Government from the Indian Chamber of Commerce, Coimbatore, in July 1954 requesting them to recommend to the Union Government to allow the export of potatoes to Ceylon and neighbouring countries, and if so, the action taken thereon;

(b) the increased production this year as compared to last year; and

(c) the quantity of potatoes exported before the war?

THE HON. SRI M. BHAKTAVATSALAM:—“(a) No, Sir.

“(b) The increased production this year has been estimated at 8,000 tons above that of last year which was 61,360 tons.

“(c) The attention of the hon. Member is invited to the statement^a laid on the table of the House.”

National Extension Service Scheme in Malabar.

* 285 Q.—DR. K. B. MENON: Will the Hon. the Minister for Agriculture be pleased to state—

(a) the amenities extended to the areas, that come under the operation of the National Extension Service and whether any conditions are attached to such provisions;

(b) what area or areas in Malabar come under the operation of the National Extension Service Scheme; and

(c) whether any literature is published on the service and if so, whether the same will be placed on the table of the House?

THE HON. SRI M. BHAKTAVATSALAM:—“(a) The National Extension Service aims at the provision of such amenities as will lead to increased agricultural production and a diversified agricultural economy. There will also be an intensification of the co-operative movement, subsidiary occupations and cottage industries and an efficient organization of supplies and services.

As the scheme seeks to enlist the active support and participation of the people in the formulation of development schemes and their implementation, a contribution is insisted upon from the people to supplement Government resources for providing amenities to the largest extent possible.

“(b) (i) Tellicherry Block comprising Tellicherry, Kuthuparamba and Mattanur firkas.

(ii) Payyanur Block comprising Payyanur firka plus part of Madayi firka.

(iii) Taliparamba Block comprising the Taliparamba firka plus the remaining villages of the Madayi firka.

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“(c) Two copies of the booklet entitled ‘Organization of National Extension Service and Expansion of Community Development Programme’ have been placed on the table of the Legislature Library.”

Closure of the Mylapore Cafe, Madras.

* 286 Q.—SRI K. P. GOPALAN : Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether it is a fact that the Mylapore Cafe, Mylapore, Madras, was closed in June 1954; and

(b) whether the management of the said Cafe gave due notice either to the Government or to the Labour Department or to the workers according to the Factories Act?

THE HON. SRI M. BHAKTAVATSALAM :—“(a) Yes, Sir.

“(b) The management of Mylapore Cafe, Madras, gave a month’s notice to the workers on the 15th May 1954.”

SRI K. P. GOPALAN :—“Is it not a fact that the owners of the Mylapore Cafe closed the hotel to drive away the workers and then re-opened it so that they might take in casual labour on low wages and is it not a fact that there are in fact some hotels . . .”

MR. SPEAKER :—“Let not the hon. Member put a general question. Let him confine his question only to the Mylapore Cafe.”

THE HON. SRI M. BHAKTAVATSALAM :—“Let me inform the hon. Member that the Government have referred the following points regarding Mylapore Cafe, for adjudication, viz. :—

(1) whether the closure of the Mylapore Cafe was justified or not;

(2) to what relief the workers are entitled.

The case is pending before the Industrial Tribunal, Madras.”

Survey of forests in Malabar.

* 287 Q.—SRI P. K. GOPALAKRISHNAN (on behalf of Sri K. C. Gopalan Unni) : Will the Hon. the Minister for Agriculture be pleased to state—

(a) the total area of (i) private forests, and (ii) Government forests in Malabar;

(b) the unsurveyed area in each of the above; and

(c) whether Government have any proposal to survey the unsurveyed area?

THE HON. SRI M. BHAKTAVATSALAM :—“(a) (i) 1,252 square miles.

(ii) 536 square miles.

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“(b) The Government forests in Malabar district have been surveyed and mapped by the Survey of India Department. There is no information whether individual private forests have been surveyed or not.

“(c) No, Sir.”

Prosecution of ryots for Punam cultivation in Malabar.

* 288 Q.—SRI K. MADHAVAN NAMBIAR: Will the Hon. the Minister for Agriculture be pleased to state the number of criminal cases filed against the ryots in Malabar in 1953 and 1954 for Punam cultivation in the areas coming under private forests?

THE HON. SRI M. BHAKTAVATSALAM:—“One hundred and one persons were prosecuted in 1953 and 76 in 1954.”

SRI K. MADHAVAN NAMBIAR:—“In view of the fact that these persons have been cultivating these Punam areas from a very long time past, will the Government enquire into the whole issue?”

THE HON. SRI M. BHAKTAVATSALAM:—“From one of the reports received by Government from the Collector, I can inform the hon. Member that 3,000 rupees worth of land belonging to the Kottayur Devasthanam in Kottayam taluk were laid waste at a stretch in 1953–54 by trespassers and prosecution had, therefore, to be launched to stop the wanton violation of the Act.”

Tripartite Committee to enquire into the condition of the tile industry.

* 289 Q.—SRI K. P. GOPALAN: Will the Hon. the Minister for Agriculture be pleased to state whether the Government have any proposal to appoint a Tripartite Committee to go into the conditions of the tile industry and tile workers in the West Coast?

THE HON. SRI M. BHAKTAVATSALAM:—“No, Sir.”

SRI K. P. GOPALAN:—“In view of the fact that the workers are getting very low pay and the industry itself is in need of improvement, will the Government consider the question of appointing a Tripartite Committee?”

THE HON. SRI M. BHAKTAVATSALAM:—“The Industrial Tribunal has already given an award relating to the wages and, therefore, Government do not think it worthwhile appointing a Tripartite Committee to make any recommendation.”

MR. SPEAKER:—“It appears Mr. K. P. Gopalan has given notice of a short-notice question and the Hon. Minister is prepared to answer it. Let the Hon. Minister read both the question and the answer.”

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Silver Cafe, Madras, closure without notice to workers.

* 292-A Q.—SRI K. P. GOPALAN: Will the Hon. the Minister for Industries and Labour be pleased to state—

(a) whether it is a fact that the management of Silver Cafe, Sowcarpet, China Bazaar, Madras, has closed the cafe since the 6th December 1954, without giving any due notice either to the Government or to the Labour department or to the workers; and

(b) how many workers are unemployed on account of this closure?

THE HON. SRI M. BHAKTAVATSALAM :—“(a) & (b) The Government have no information. The facts of the case will be ascertained and suitable action taken if necessary.”

[Note.—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

II.—PRIVILEGE MOTIONS *RE*

(1) AMENDMENTS TO THE CONSTITUTION—NON-DISCLOSURE TO THE HOUSE OF COMMUNICATION FROM THE CHIEF MINISTER TO THE SECRETARY, A.I.C.C., REGARDING—

MR. SPEAKER :—“Yesterday I told the House that Sri M. Narayana Kurup has given notice of a privilege motion. He thinks it is a privilege motion. I have told the House the principle that should be followed in dealing with such questions and I also told the House when a Minister must lay before the House the correspondence and when he can refuse also. I have also circulated to hon. Members the concerned starred questions and answers and also the supplementaries and their answers. I wish to know what the hon. Member Sri M. Narayana Kurup wants to say on this matter.”

* SRI M. NARAYANA KURUP :—“To understand the issues involved it is necessary to be clear about facts.”

MR. SPEAKER :—“Please tell me how this comes under the privilege motion.”

* SRI M. NARAYANA KURUP :—“The question was put by me because from the report emanating from the General Secretary, All-India Congress Committee, it was known that the opinions of State Governments regarding constitutional amendments were invited by him and all Governments excepting one or two have sent their replies. In answering my question, it has been admitted that this Government was asked both by the Central Government and the General Secretary, All-India Congress Committee to give their opinions on amendments to the Constitution.”

* THE HON. SRI C. SUBRAMANIAM :—“It is not correct to say that this Government was requested both by the Prime Minister and the General Secretary, All-India Congress Committee, to give their opinions about amendments to the Constitution. The General Secretary wrote to Sri Kamaraj Nadar, Chief Minister of the Government of Madras, in his own personal capacity.”

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* SRI M. NARAYANA KURUP :—“ If I remember correct, the Hon. Minister began by saying ‘ yes ’.”

MR. SPEAKER :—“ I want to know how the hon. Member is correct in saying that the Minister has ‘ cited ’ any document.”

* SRI M. NARAYANA KURUP :—“ To my question whether Government had received any communication both from Central Government and the General Secretary, All-India Congress Committee, the Hon. Minister replied ‘ yes ’. That means Government received both the communications.”

MR. SPEAKER :—“ Whatever might be the assumption of the hon. Member, what does he exactly mean by the word ‘ citing ’? The Hon. Minister had said that he could not, on public grounds, disclose the matter and lay it before the House.”

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noon.

* SRI M. NARAYANA KURUP :—“ I am coming to both. I am now on the first part of the question. It is admitted that a reply was sent to both. The reply to Central Government was sent by the Hon. Finance Minister representing the State Government and the reply to the General Secretary, All-India Congress Committee was sent by the Hon. Chief Minister, Sri Kamaraj Nadar, in his private capacity. In this connexion, I wish to impress upon this House that apparently it is the same reply that was sent and there is no case that the reply sent to the General Secretary was different from that sent to the Central Government. It is also a fact that that information which was conveyed—I will come to the point whether it was sent in the Chief Minister’s private capacity or in any other capacity—has been refused to be revealed to this House. Let us not confuse this issue by saying that the Hon. Minister can decline to answer any question in public interests, because here the question arises out of answers already given to questions. There is that very important distinction. Therefore, the issue before this House is whether the Hon. Minister is entitled to claim privilege of the contents of a communication or a document which was referred to in the course of an answer given on the floor of the House.”

MR. SPEAKER :—“ May I know what the hon. Member means by the word ‘ citing ’ and whether the Hon. Minister has cited any document? ”

* SRI M. NARAYANA KURUP :—“ I will come to that in my own way, Sir. There he has not cited any document.”

MR. SPEAKER :—“ Then there is no privilege.”

* SRI M. NARAYANA KURUP :—“ The question is whether this House is entitled to know the contents of the communications that have been referred to on the floor of the House.”

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MR. SPEAKER :—“ I am not disturbing the hon. Member. But I want to make the position clear. 'We can finish this work as quickly as possible. There is another motion given notice of by the Deputy Leader of the Opposition. The Hon. Minister has not cited anything.' ”

* SRI M. NARAYANA KURUP :—“ The second point is this. The stand taken by the Hon. Minister is that the Government are protected by their privilege of non-disclosure of the contents of this document to this House. Therefore, to put it in a nutshell, the question is, what are the conditions under which the Government can claim privilege of non-disclosure of a document. I have been enlightened by the Hon. Speaker himself that the privilege is not absolute. The privilege is the same as that obtainable in a court of law.”

MR. SPEAKER :—“ Only when the Hon. Minister has cited a thing. I would request the hon. Member to go through the questions and answers.”

* SRI M. NARAYANA KURUP :—“ Sir, there is some confusion.”

MR. SPEAKER :—“ Not in me, but only in the hon. Member.” (Laughter.)

* SRI M. NARAYANA KURUP :—“ Then the question will be whether the House is entitled to know the contents of a document when it is cited and whether a reference to it in reply to a question amounts to 'citing it'. I think I have made myself clear. That will depend upon your ruling whether the circumstance under which the reference has been made amounts to 'citing' or is otherwise. There can be no absolute privilege. The procedure in a court of law is if a certain document is called for and the Government claim privilege, the question is argued before the Judge in each case. It is the Judge who decides whether the Government are entitled to claim privilege or not. Similarly, my submission here is that if privilege is claimed for any document, the question has to be decided by the Hon. Speaker in each case. In this connexion, I would like to invite the attention of the House to the ruling given by the Speaker of the Lok Sabha in regard to the report of the Governor of Andhra about the breakdown of administration there. What he said there was: 'I do not press the Government on this point now, but this matter will have to be decided at a future date'. I quite agree with that. Therefore, in every case it is a matter to be decided by the Hon. Speaker. Then, my next point is . . . ”

MR. SPEAKER :—“ The hon. Member assumes that it comes under privilege motion. That assumption itself is, in my opinion, wrong.”

AMENDMENTS TO THE CONSTITUTION—NON-DISCLOSURE
TO THE HOUSE OF COMMUNICATION FROM THE CHIEF
MINISTER TO THE SECRETARY, A.I.C.C.
REGARDING—

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* SRI M. NARAYANA KURUP :—“ My next point is that even assuming that the Government are entitled to claim the privilege, that privilege cannot be claimed if the contents of the communication or document have been already disclosed to a third party. Here it is in evidence that the contents of the communication have been disclosed to the General Secretary, All-India Congress Committee. It may be that the General Secretary of the All-India Congress Committee is the highest officer of the Congress Party which rules the country and this State now. But so far as this House is concerned, he is like any other stranger and he is not clothed with any superior authority to demand from this Government secret and confidential communications of this Government. Therefore, I would submit that though initially there was the question of privilege of non-disclosure of the document in favour of the Government, the Government can no longer claim that privilege inasmuch as they have chosen to disclose it to the General Secretary.

“ The fourth point is that, be he a Minister or a Member of this House, if he obtains certain information in his capacity as a Member or a Minister and then if he discloses that information . . . ”

MR. SPEAKER :—“ Let the hon. Member read the question and the answer. I will read them—

‘ Question.—(a) Whether the Government were invited by the General Secretary, All India Congress Committee or by the Central Government to give their opinion on amendments to the Constitution; and

(b) if so, whether any reply was given ?

Answer.—(a) Yes. Communications on the subject were received by the Chief Minister from the General Secretary of the All India Congress Committee and from the Prime Minister of India.

(b) It will not be in the public interest to disclose the information as it is of a confidential nature.’

Whether the answer was in the affirmative or negative is not known here. The Hon. Minister has only said what has actually taken place.”

* SRI M. NARAYANA KURUP :—“ My point, apart from other things, is that if any information is obtained by an hon. Member of this House or an Hon. Minister in his capacity as such Member of the House, the disclosure of that information to a third party is a breach of privilege of this House. We are not entitled to disclose the information to any third party. Unfortunately for us, the Hon. the Chief Minister is a member of this House. If any confidential information or secret of the Government is disclosed to parties other than those mentioned by me, then the concerned person will be liable to be proceeded against under the Official Secrets Act. Here the Hon. Minister himself is bound by the oath of secrecy contained in the Constitution.”

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MR. SPEAKER :—“ The hon. Member assumes certain things. He assumes that the Hon. the Chief Minister had given all the facts about the matter to the General Secretary. Why should he assume like that? ”

* SRI M. NARAYANA KURUP :—“ It is up to the Hon. Chief Minister to deny that.”

* THE HON. SRI C. SUBRAMANIAM :—“ It is open to the hon. Member to raise a point of privilege on the facts available. He should not cross-examine the Hon. the Chief Minister and try to elicit facts. Whether the hon. Member can raise a point of privilege on the facts available is the question we are considering now.”

* SRI M. NARAYANA KURUP :—“ My argument is based on these facts. All the time while these questions were put and answered, the Hon. the Chief Minister was physically present in this House. On a previous occasion, when a communication addressed to the Chief Minister was referred to, the Hon. the Finance Minister said that the Government did not receive it. Immediately the Hon. the Chief Minister got up and said that the communication was received in his private capacity. He has been silent over the matter now under reference. Therefore, unless it is proved otherwise, we must take it that the information was communicated to the General Secretary of the All-India Congress Committee. That is my submission.” 12-10 p.m.

MR. SPEAKER :—“ That is the assumption of the hon. Member.”

* SRI M. NARAYANA KURUP :—“ No, Sir. There is circumstantial evidence to support my view.”

* THE HON. SRI C. SUBRAMANIAM :—“ I have stated that as far as the General Secretary of the All-India Congress Committee is concerned, the Chief Minister wrote to him in his personal capacity.”

* SRI M. NARAYANA KURUP :—“ That only strengthens my case. If the position were otherwise, the question would have to be considered by the Committee of Privileges whether the same statement or information as conveyed to the Central Government was conveyed to the General Secretary of the All-India Congress Committee. It is a telltale admission. If it is now denied that the communication sent to the General Secretary of the All India Congress Committee was different from that sent to the Central Government, I submit that that clinches the issue. But that will be a matter to be considered by the Committee of Privileges whether the same communication was sent to the General Secretary of the

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All-India Congress Committee or a different one was sent to him. The following is the form of oath of secrecy for a Minister for a State :—

‘I, A.B., do solemnly affirm that I will not directly or indirectly communicate or reveal to any person or persons any matter which shall be brought under my consideration or shall become known to me as a Minister for the State of . . . except as may be required for the due discharge of my duties as such Minister.’ ”

MR. SPEAKER :—“ It means that he will not reveal anything that has taken place in the Cabinet.”

* SRI M. NARAYANA KURUP :—“ Therefore, I presume that the Hon. the Chief Minister must have come to know these facts as the Head of the State. I know he presides over the meetings of the Cabinet. If he unauthorizedly communicates the substance or the purport . . . ”

MR. SPEAKER :—“ What was it that was communicated to the General Secretary of the All-India Congress Committee? ”

THE HON. SRI C. SUBRAMANIAM :—“ The hon. Member assumes something.”

* DR. K. B. MENON :—“ May I read out the answer given by the Hon. Sri C. Subramaniam? ”

MR. SPEAKER :—“ The hon. Member assumes things.”

* DR. K. B. MENON :—“ I am not assuming things, Sir. The Hon. Sri C. Subramaniam has stated, ‘As far as the General Secretary of the All-India Congress Committee is concerned, the Chief Minister wrote in his personal capacity’.”

MR. SPEAKER :—“ But it is not known what he wrote to him.”

* THE HON. SRI C. SUBRAMANIAM :—“ I shall read my answer to the last supplementary question put the other day. It runs as follows :—

‘I have not seen the reply sent by the Chief Minister to the General Secretary, All-India Congress Committee, in his personal capacity. I know only the reply sent by this Government to the Government of India.’

In these circumstances, why should the hon. Member assume that I have tacitly admitted that both the communications are the same? ”

* SRI M. NARAYANA KURUP :—“ I have said that if it is proved that the same communication as was sent to the Central Government was sent to the General Secretary of the All-India Congress Committee, then it may be a breach of privilege. Even if the purport or substance of the communication was sent to the latter, it may be a breach of privilege. The Hon. Minister, of course, says that the Chief Minister wrote to the General Secretary, All-India Congress Committee, in his private capacity. Such dual capacities may be convenient for the Ministers in the discharge

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of their duties, but it is very embarrassing and inconvenient for the Members of this side of the House. Therefore, it is evident that some information which the Hon. the Chief Minister would not have obtained except in his capacity as a Minister was conveyed to a third party. I think it is a very indiscreet act, an unconstitutional act . . .”

MR. SPEAKER :—“ I do not agree with the hon. Member. Assuming that what he says is correct, the best thing for him would be to bring in a ‘ no confidence ’ motion against the concerned Minister.”

* SRI M. NARAYANA KURUP :—“ I expected that such a thing would be suggested to me. But this is not a question of want of confidence in a Minister. It is not a question of being in a majority or minority Party. But the issue is one involving the dignity and the proper and effective working of the House. In this connexion, I would recall to your attention the ‘ Thomas ’ episode. In that case, the Minister indiscreetly disclosed certain information a few minutes before the presentation of the Budget in the Parliament and on that ground, he resigned his post.”

MR. SPEAKER :—“ The hon. Member is jumping from one point to another. I request the hon. Member to be clear about the matter. If it is a question of disclosing a Budget secret, it happened in Dalton’s case. But that case is altogether different from the one that we are considering. The hon. Member assumes things which are not mentioned in the questions and answers. If he desires, I shall give him an opportunity to speak later on. I shall allow other hon. Members to speak now and call him to speak afterwards.”

* SRI M. NARAYANA KURUP :—“ I am talking of a principle. The principle, according to me, is one of revealing information obtained by a Minister in his capacity as Minister. If the Hon. the Speaker is of the opinion that the Hon. the Chief Minister conveyed to the General Secretary of the All-India Congress Committee information entirely different from what he could have obtained as the Chief Minister, then I admit I have no case. But if the information sent to the Central Government has been conveyed to the General Secretary of the All-India Congress Committee by the Chief Minister in his individual or private capacity, then it is a different thing.”

MR. SPEAKER :—“ Granting, for argument’s sake, that the Chief Minister has revealed to somebody a Cabinet secret, even then it will not be a question of breach of privilege of the House.”

* SRI M. NARAYANA KURUP :—“ The Cabinet is one which is responsible to this Assembly.”

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MR. SPEAKER :—“ If the Chief Minister has revealed anything that took place in the Cabinet, the hon. Member can bring in a motion expressing want of confidence in the Chief Minister.”

* SRI M. NARAYANA KURUP :—“ The Cabinet is responsible to this Assembly. The Hon. the Chief Minister is a Member of this House. Apart from his capacity as the Chief Minister, supposing an M.L.A. reveals information to third parties confidential information obtained by him in his official capacity, will it or will it not be a breach of privilege? That is the question before the House. If such a thing is a breach of privilege, it does not make any difference if the person involved happens to be the Chief Minister. In this case, it is my submission that the Hon. the Chief Minister has disclosed some information which he got in his official capacity, either wholly or in part or substantially, to the General Secretary of the All-India Congress Committee. Therefore, the question of the proper functioning of this House, its honour and dignity are involved in this issue. Bringing in a ‘ no confidence ’ motion is not the only remedy in this respect. If that were so, if only there is a clear majority, the whole Cabinet can reveal any Cabinet secret.”

MR. SPEAKER :—“ We should follow certain rules in regard to all these matters.”

* SRI M. NARAYANA KURUP :—“ For argument’s sake, let us assume that the Hon. Sri Kamaraj Nadar was not the Chief Minister of the State but that he was simply a Member of this House. Suppose he, as a Member, revealed some information which was sent to him confidentially or which was obtained by him in his capacity as a Member of this House. That would also be a breach of privilege of this House. Apart from the question of want of confidence in a Minister, any matter which affects the honour, dignity and proper working of this House involves a question of privilege. Therefore, I submit that the present issue is one which will have to be considered by the Committee of Privileges.”

* SRI V. BALAKRISHNAN :—“ Sir, we have been dragged into the woods and lost in the woods. But a clarification will help us to know where we are. The Hon. Sri Kamaraj Nadar has two functions and two capacities. One is as the Chief Minister of the State and the other is as the Leader of the Legislature Congress Party. As the Leader of the Legislature Congress Party, he is entitled to carry on any correspondence that he likes with the members of the High Command, and I believe that as the Leader of the Legislature Congress Party, he has expressed certain opinions to the General Secretary of the All India Congress Committee. I wish to know whether it is within the competence of this House to consider that question and whether this House should take cognizance of his correspondence, as the Leader of the Legislature Congress Party, with the General Secretary of the All-India

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Congress Committee. If the Hon. Chief Minister had carried 12-20
 on certain correspondence with anybody outside this House, cer- P.m.
 tainly this House cannot take note of that correspondence."

MR. SPEAKER :—" Even then, it should be proved that some
 Cabinet secret is involved."

* SRI V. BALAKRISHNAN :—" That is exactly so. The Hon.
 the Minister for Finance has categorically stated that the Hon.
 Chief Minister wrote to the General Secretary of the Congress High
 Command in his private capacity. I believe the Chief Minister,
 who is also the Leader of the Congress Legislature Party is at
 perfect liberty to carry on correspondence with anybody and it is
 not within the competence of this House to ask him to disclose
 the contents of the correspondence to it."

MR. SPEAKER :—" I will call hon. Member Sri S. Swayam-
 prakasam, one or two other Members, and the hon. Deputy Leader
 of the Opposition to speak on this matter and then the Hon.
 Minister to reply to the discussion."

* SRI S. SWAYAMPRAKASAM :—" Mr. Speaker, it is not
 a question of the Chief Minister or Sri Kamaraj Nadar or Sri
 Subramaniam being involved in this matter."

MR. SPEAKER :—" Let us forget names."

* SRI S. SWAYAMPRAKASAM :—" Yes, that is what I am
 also saying. Let us forget names. This is an important technical
 matter. As put by my hon. Friend Sri Narayana Kurup, the ques-
 tion to be considered is this. The Government have communicated
 certain information to the Central Government and this informa-
 tion has also been communicated to a private body. At the same
 time, this information is denied to this House."

MR. SPEAKER :—" The question is whether the same infor-
 mation as was communicated to the Central Government has been
 communicated to the private body also."

* SRI S. SWAYAMPRAKASAM :—" I am able to see that the
 Chair is under the impression that the communication sent to the
 Prime Minister may be one thing and the communication sent to
 the Congress Committee may be another"

MR. SPEAKER :—" No, no. I will explain the position. The
 Hon. Chief Minister is said to have written to the General Secretary
 of the All-India Congress Committee. The question is whether
 it is the same information or communication sent to the Prime
 Minister by the Government and which the Government refuse
 to give to this House."

* SRI S. SWAYAMPRAKASAM :—" I will come to that
 point, Sir. Hon. Member Sri Balakrishnan supported the Chief
 Minister"

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MR. SPEAKER :—“ It is not a question of one hon. Member supporting the Chief Minister or anything like that. He has given his view on the matter. Now, let us come to some conclusion on this point which is important.”

* SRI S. SWAYAMPRAKASAM :—“ Our anxiety is also to know whether any communication has been sent to the Central Government by the Madras Government and whether the same communication has also been sent to the All-India Congress Committee and is denied to us. To explain my point further, I need not go to the supplementary questions. It is enough if I make a reference to the main question and the answer thereto given by the Hon. the Minister for Finance. This is the main question—

‘(a) whether the Government were invited by the General Secretary, All-India Congress Committee or by the Central Government to give their opinion on amendments to the Constitution.’

The answer given to this question by the Hon. Sri C. Subramaniam reads as follows :—

‘(a) Yes. Communications on the subject were received by the Chief Minister from the General Secretary of the All-India Congress Committee and from the Prime Minister of India.’

The second part of the main question is this—

o, whether any reply was given ? ”

Hon. Sri C. Subramaniam's answer to this question is as follows :—

‘It will not be in the public interest to disclose the information as it is of a confidential nature.’

From the answer given by the Hon. Minister it is very clear that communications have been received from the General Secretary of the All-India Congress Committee, and the Central Government and the Madras Government have sent replies thereto. Now, the question to be considered is this. This House is denied certain information which has been supplied to an outside body, viz., the All-India Congress Committee.”

MR. SPEAKER :—“ What is the reply sent to the All-India Congress Committee? ”

* SRI S. SWAYAMPRAKASAM :—“ That we do not know.”

MR. SPEAKER :—“ Then, why should the hon. Member assume things? ”

* SRI S. SWAYAMPRAKASAM :—“ Whatever it is, it is a fact that a reply has been sent to the All-India Congress Committee.”

MR. SPEAKER :—“ We do not know what the Hon. the Chief Minister wrote. It may be anything.”

* SRI S. SWAYAMPRAKASAM :—“ We do not question his having sent a reply. The main question and the answer given by the Hon. Minister thereto are complete in this respect. It has been clearly stated that communications were received from the

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All-India Congress Committee and the Central Government and for both of them replies were sent. So, the information supplied to an outside body is being denied to this House. This is the only question that we will have to consider now."

* DR. K. B. MENON :—" Sir, my interpretation will be purely a layman's interpretation. I think that the circumstantial evidence that is available in this case is as material as direct evidence. To supplement what I quoted from the Hon. Finance Minister's reply, I would again like to quote from his reply. In one of his answers to supplementary questions, he stated thus, ' It is purely getting information from the Chief Minister in his personal capacity. He must be prepared to disclose the reply he had sent to the Secretary, All-India Congress Committee, in his personal capacity. It is not an official matter.' So, it is obvious that the Hon. the Chief Minister has sent a reply to the Secretary of the All-India Congress Committee, and on what subject he sent a reply is also obvious from the context. To supplement all these, there was a circular from the All-India Congress Committee Secretary to the effect that he was asking the State Government to supply him information on this subject. If we piece together all these facts, it will be evidence that the subject referred to by the All-India Congress Committee's General Secretary in his communication to the Chief Minister and the reply sent by the Chief Minister to the General Secretary are on this subject."

* SRI V. R. NAGARAJAN :—" Mr. Speaker, the Hon. the Minister for Finance has emphatically stated in answer to a question put by Sri M. Kalyanasundram in Tamil, that the Chief Minister wrote to the General Secretary of the All India Congress Committee only in his personal capacity, and that it was not an official matter. I submit this answer of the Hon. Minister must put an end to this controversy at least so far as it relates to the communication sent by the Chief Minister to the All-India Congress Committee. It is not a matter which this House can take cognizance of. It is not a matter which we should know. So the fact that this information is not disclosed in this House cannot be raised as a privilege issue.

" There is another aspect also which we must take into consideration. The Hon. Chief Minister has neither accepted the statement of the Finance Minister that he (Chief Minister) has sent a reply to the General Secretary of the All-India Congress Committee, nor has he contradicted the same. The Chief Minister is present here now. But he seems to be prepared neither to accept nor contradict the Finance Minister's statement. Therefore, we cannot assume that a communication has been sent by the Chief Minister. I would even go a step further and ask whether the statement of the Finance Minister is correct. We do not know definitely whether the Chief Minister has at all sent a communication to the

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All-India Congress Committee even in his personal capacity. Unless there is a definite view expressed by the Chief Minister himself on this point, we cannot assume that a communication has been sent by him to the All-India Congress Committee. Moreover the Finance Minister has already stated that it is not an official matter. Taking all these things into consideration, I wish to point out that this will not give rise to a privilege motion. This is my humble submission on this matter, Sir."

12-30
p.m. * SRI M. KALYANASUNDRAM :—" Sir, the point to be considered is whether the subject-matter of the letter addressed to the Prime Minister by this Government and the subject-matter of the letter addressed by Sri Kamaraj Nadar to the General Secretary of the All-India Congress Committee are the same. That is the point. I do not want to go outside the questions and answers given on the floor of this House. From these it is clear that the correspondence addressed to this Government both by the Prime Minister and the Secretary of the All-India Congress Committee is on the same subject as admitted by the Hon. the Minister for Finance in the first part of his reply."

MR. SPEAKER :—" Was the answer to that correspondence the same; that is the question? "

SRI S. SWAYAMPRAKASAM :—" Must be."

* SRI M. KALYANASUNDRAM :—" In his reply to part (b) of the question the Hon. the Finance Minister said that it would not be in the public interest to disclose the information as it was of a confidential nature. The Hon. the Finance Minister is usually a shrewed person but in the present case he has been a bit careless. If the facts were different then even at the outset he would have stated that as for the letter that was addressed to the Prime Minister, it was of a confidential nature and that it would not be in the public interest to disclose it on the floor of the House. As regards the letter addressed to the General Secretary of the All-India Congress Committee, if it was on a different matter, he ought to have said that he did not know the contents of that letter. These ought to have been his answers if the facts were different. He has admitted that the information cannot be divulged. He was aware of the replies sent but did not want to divulge. Only when pressed with further supplementaries, at the end he said he did not know the contents."

THE HON. SRI C. SUBRAMANIAM :—" Does the hon. Member think that I was telling a lie? "

* SRI M. KALYANASUNDRAM :—" That is not my contention, Sir. There was some inconsistency. The Hon. Minister became vigilant only after supplementaries were put to him. Then he was trying to correct the impression that he had impliedly created in his answer to part (b) of the question. Therefore, Sir,

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I feel that there is sufficient evidence to be examined by a Committee of Privileges, whether a matter which has been disclosed to the General Secretary of the All India Congress Committee could not be disclosed to the House."

* THE HON. SRI C. SUBRAMANIAM :—" Sir, we have to decide on the facts available before the House whether any breach of privilege has taken place or not. With reference to the first point raised by the hon. Member, Sri Kurup, whether I can claim privilege in respect of any document or information, he seems to think that the Evidence Act is applicable to the proceedings of this House. Under the Evidence Act it is for the Court to decide ultimately the issue by examining the document. So also he wants the Speaker to take that authority to examine the document. (Interruption.) The idea was that the Hon. Speaker should also call for the document, examine it and then decide whether a minister was entitled to claim privilege on this question or not."

* SRI M. NARAYANA KURUP :—" I am not being correctly represented. I did not say the Hon. Speaker must go into the document; what I said was, the Hon. Speaker must hear the reasons why it was a privileged document. That does not mean that the Hon. Speaker decides after going through the document."

* THE HON. SRI C. SUBRAMANIAM :—" Sir, I am saying that it is not in the interest of the public to disclose the document. What further evidence can the Hon. Speaker go into, unless he has to go through the document itself and find out whether it is privileged document or not"

MR. SPEAKER :—" For the information of hon. Members I may say, no Speaker has ever gone through documents and decided questions of privilege. It is not the business of the Speaker to say: 'You say it is of a confidential nature. Well, bring it to me, I will examine and say whether it is or is not confidential.' The Speaker simply accepts the statement of the Hon. Minister when he says that the document is of a confidential nature and he cannot disclose its contents."

* THE HON. SRI C. SUBRAMANIAM :—" As a responsible Minister, Sir, I am stating on the floor of the House that it will not be in the public interest to disclose the information. That has to be taken on the face of it. If the hon. Members are not prepared to accept my statement, it amounts to their having no confidence in me."

MR. SPEAKER :—" Then they have the remedy of bringing a motion of no confidence."

* THE HON. SRI C. SUBRAMANIAM :—" That is the only remedy."

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“ The next point which the hon. Member Sri Kurup referred to was this : ‘ Here is a certain information which has been disclosed to a third party which is not a Government and that information is not being made available to the Members of this House.’ He has said so on the assumption that we have sent the same communication both to the All-India Congress Committee and the Prime Minister. This is a wrong assumption altogether. It has been made quite clear—though in the beginning it was not quite clear—whether the same communication has been sent or not. The reason why supplementary questions are allowed is to elicit further information and make matters clear. At the end I have made it clear that it was only a personal communication sent by Sri Kamaraj Nadar, Chief Minister of Madras, to the Secretary, All-India Congress Committee. Simply because he is Chief Minister, it does not mean that he should not function in any other capacity. He happens to be the Leader of the Congress Legislature Party and this forms part of the Congress organization. Therefore, he has certain responsibilities as Leader of the Legislature Congress Party to reply to the Secretary of the All-India Congress Committee. That is a different thing altogether.

“ Then, Sir, there is this communication from the Prime Minister to the Chief Minister of this State which is necessarily bound to be an official communication for which the Government have sent a reply. Sir, on the facts available, there is nothing to show that what has been disclosed to the Prime Minister and which is not being supplied to this House has been made available to the Secretary of the All-India Congress Committee. Facts placed before the House do not go to show that the same thing has been communicated to both. After all we have to decide on the facts available before the House. I do not therefore see how a question of privilege can arise.

“ Therefore, I say, Sir, on the two grounds adduced by the hon. Member Sri Narayana Kurup, there is absolutely no question of privilege. In these cases the hon. Member should leave the discretion to the Hon. Ministers whether to disclose certain information or not. After all we are Ministers responsible to this House. At the proper time everything will be placed before the House for discussion. It is we who have to decide whether premature disclosure of facts may cause injury to public interest or not. That is why we have to say at times, even though hon. Members may be very curious to know about certain matters, that they must wait for some time. They will all be taken into confidence at the proper time when they will be fully enlightened on those matters. Now there is no question of privilege arising out of my answers to that question.”

* SRI M. NARAYANA KURUP :—“ I would like the Hon. Minister to explain whether it is his contention that because the Hon. Sri Kamaraj Nadar happens to be the leader of the Congress

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Legislature Party he is also entitled to send Government communications and informations to the third party, namely, the Secretary of the All-India Congress Committee. That is one point."

THE HON. SRI C. SUBRAMANIAM :—" That question does not arise at all."

* SRI M. NARAYANA KURUP :—" The Hon. Minister said that because he happened to be the Leader of the Congress Legislature Party he sent a communication to the Secretary of the All-India Congress Committee. I would like to know from the Hon. Minister for my future guidance whether the fact that the Hon. Sri Kamaraj Nadar happens to be the Chief Minister and also the Leader of the Legislature Congress Party entitles him to disclose Government information"

MR. SPEAKER :—" I have again and again pointed out that this is assuming things as if he has revealed the information."

* THE HON. SRI C. SUBRAMANIAM :—" May I inform the hon. Member that the Hon. the Chief Minister is fully aware of his responsibility to the State and outside bodies and, therefore, the hon. Member may rest assured that he will observe all the properties required of the office of the Chief Minister? "

* SRI M. NARAYANA KURUP :—" As the Hon. Minister put it, there is some doubt as to the nature of the information sent to the General Secretary. I am not repeating. I have placed all the circumstantial evidence before the Hon. Speaker and internal evidence also to show that it seems to be the same information. Even now the Hon. Chief Minister who could have thrown true light on this subject has not come out with any statement. Therefore, if it be a court of law, I have no doubt in whose favour the inference or the presumption will be drawn. He could have cleared the doubt of the Hon. Speaker by making a statement. Probably he might say he is present here in his official capacity and not in his private capacity. According to me, it is proved beyond doubt that it is the same information that has been communicated to the Secretary of the All-India Congress Committee. If there is any doubt about it, it will be examined by the Committee of Privileges. That is why I stated any contention of that nature will only strengthen me in my position."

* THE HON. SRI C. SUBRAMANIAM :—" It is all based on wrong assumptions. We can take decisions only on facts available. Facts available show that there is absolutely no question of privilege involved in this matter."

MR. SPEAKER :—" First of all, I will place the facts before 12-40
 this House. What happened day before yesterday was that the P.m.
 hon. Member Sri Narayana Kurup, put certain questions and

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the Hon. Minister for Finance refused to disclose information on the plea that it was of a confidential nature and that to disclose it would be against public interest. I then told the House that the refusal on the part of the Hon. Minister to answer questions involving information of a confidential nature, would not come under a privilege motion. In this connection, yesterday, I quoted the relevant passage from May's Parliamentary Practice.

“The hon. Member Sri Narayana Kurup assumes certain things which are not to be seen in the answers given by the Hon. Minister. He thinks that the Hon. Chief Minister revealed to the Secretary of the All India Congress Committee, what he revealed to the Prime Minister. But it does not seem to be a fact. Let us assume however that he has revealed it. Even then, the proper method of dealing with the Hon. the Chief Minister is to bring a no-confidence motion against him. This question of refusing to answer questions will not come under a privilege motion. I do not admit that this comes under a privilege motion, and, therefore, I rule this motion out of order.”

(2) INTERCEPTION OF LETTERS BY SPECIAL BRANCH POLICE.

MR. SPEAKER :—“The hon. Member, Sri Kalyanasundram, has given notice of a motion to be referred to the Committee of Privileges. It reads as follows :—

‘The letters which I address to some of the people in my constituency and also the letters which I receive from the people in my constituency are being intercepted by the Special Branch Police. To quote an instance, I wrote a letter to one of the residents in Golden Rock regarding the action taken by me as an M.L.A. to represent the tense situation that has developed in Golden Rock due to an illegal burial of a dead body amidst residential quarters of Railway workers by a Railway officer. This letter was posted on 1st December 1954 in the Mount Road post office. But the letter was delivered in Golden Rock to the concerned person on 4th December 1954. I reliably understand that the Special Branch Head Constable took the envelope from the post office as soon as the bags were opened and the letter was with the Police for two days, i.e., on 2nd and 3rd. The envelope bears the postal seal, dated 4th December 1954, 9 a.m. It also bears the Mount Road postal seal dated 1st December 1954, which is also sought to be erased. I understand that this has been done by the Special Branch Police under instructions from the State Government.

‘Such action by the executive is a serious breach of privilege of the Members of this House and is calculated to undermine the dignity of this House. I submit the matter may be referred to the Committee of Privileges for suitable action.’

These are the facts mentioned in this motion. The hon. Member Sri Kalyanasundram says that a letter posted by him was intercepted by the Special Branch Police. He considers this action of the Police is a matter affecting the privilege of a Member. First of all we must know the definition of the word ‘privilege’. The hon. Member confuses the term ‘parliamentary privilege’ with every

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kind of 'rights'. We have got certain rights which would not come under 'privilege'. 'Privileges' are different from 'right'. Under the Indian Constitution, the Members of this House enjoy the privileges which are enjoyed by the Members of the House of Commons in England."

SRI S. RAMALINGAM :—" Why can't we enjoy more privileges? "

MR. SPEAKER :—" Yes, we can enjoy more privileges if we legislate to that effect. Hon. Members must know that even in England, the Members of the House of Commons cannot create new privileges. They are enjoying the same privileges which they have enjoyed from time immemorial. Perhaps the hon. Member has not gone through the Constitution. It is clearly stated in the Constitution that till we pass a Bill defining our privileges, we shall enjoy only such privileges which are enjoyed by the Members of the House of Commons. We have not so far brought any Bill nor for that matter has any Legislature in India done so. So, we have to follow the privileges which are enjoyed by the Members of the House of Commons. First of all, we must know what privileges we enjoy. Unless we have a clear idea about it, we may not know what is a 'privilege' and what is a 'right', and whether a right we enjoy is a parliamentary privilege. Now I will read to you the relevant passage in May's Parliamentary Practice. It reads as follows :—

'Parliamentary privilege is the sum of the peculiar rights (not ordinary rights) enjoyed by each House collectively as a constituent part of the High Court of Parliament, and by members of each House individually, without which they could not discharge their functions, and which exceed those possessed by other bodies or individuals. Thus privilege, though part of the law of the land, is to a certain extent an exemption from the ordinary law.'

'The privileges of individual members of the House of Lords may be distinguished from the privileges of individual members of the House of Commons (we enjoy only the privileges of Members of the House of Commons); both again have common privileges as members of the Parliament; and the Lords have special privileges as peers, distinct from those which they have as members of a House co-ordinate with the House of Commons.'

The particular privileges of the Commons have been defined as—

'The sum of the fundamental rights of the House and of its individual Members as against the prerogatives of the Crown, the authority of the ordinary courts of law and the special rights of the House of Lords.'

Now, a distinction has been made between 'function' and 'privilege'. We have got certain functions. We have got certain rights, which are altogether different from peculiar rights. Hon. Members must make a distinction between a 'right' and a 'peculiar right'. For instance, if an hon. Member is prevented from entering the House, then it is a breach of privilege. Now, let me read further from May's Parliamentary Practice. It is stated—

'The distinction between privilege and function is not always apparent.'

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* SRI S. DEIVASIGAMANY :—“ Most of the lawyer-Members can follow it but many of the other hon. Members do not know what is contained in it unless it is explained in Tamil.”

MR. SPEAKER :—“ I agree with the hon. Member that it may be translated into Tamil and circulated.”

* SRI T. C. NARAYANAN NAMBIAR :—“ The Chair has kindly agreed to the translation of the proceedings which are taking place now into Tamil. I request that he may agree to translate it into Malayalam also.”

MR. SPEAKER :—“ It is also stated in May :

Thus the financial powers of the House of Commons, including rights both against the Crown and against the Lords are sometimes referred to as financial privileges ;

We have got certain financial rights here. For instance, Money Bills should be introduced only in this House and not in the other House. Does this constitute ‘ function ’ or ‘ privilege ’? It has not been defined so far and no one has given an opinion on this particular matter. Now let me read further from it. It is stated—

‘ and it is often a matter of individual choice whether a particular financial right is called a privilege or a constitutional power. Financial privilege is more conveniently treated as a special power of the House of Commons, and dealt with in Chapter XXVIII. It is more convenient to reserve the term ‘ privilege ’ to certain fundamental rights of each house which are generally accepted as necessary for the exercise of its constitutional functions.’

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The last sentence is a very important sentence. The only question now is, whether the right claimed by the hon. Member is a privilege or a right and if it is a privilege what is the exact scope of the privilege involved. The hon. Member says that certain letters sent to him by some persons had been intercepted in the middle and opened by censors and that these letters did not come to him in time. I have got a doubt. I myself sent certain letters through the Secretary and it has not been mentioned clearly whether such letters also have been tampered with. I must also consider whether the interception of letters sent by me through my office comes under ‘ a breach of privilege ’. I do not think it is necessary for us to rush through this matter. I will give time to hon. Members. We can even consider the matter on Monday or Tuesday. I will order circulation to hon. Members of what I have said now. Let them go through it. I am not going to take up the matter to-morrow. The hon. Member has not mentioned whether private letters alone have been intercepted. He has not made clear whether letters sent by me through my office are also intercepted. I will take up the case on Monday or Tuesday. Meanwhile I shall circulate to hon. Members what I have said just now.”

SRI S. VADIVELU :—“ சபையிலே நடந்துகொண்டிருக்கும் கார சாரமான விவாதத்தைப்பற்றித் தால் மிக முக்கியமான விஷயத்தைப்பற்றியே

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சர்ச்சை நடந்து கொண்டிருப்பதாகத் தெரிகிறது. ஆனால் அது இன்ன தென்று எங்களுக்குத் தெரியவில்லை. ஆகவே அதைத் தமிழில் கொஞ்சம் சொல்லும்படியாகக் கேட்டுக்கொள்ளுகிறேன்.”

MR. SPEAKER :—“ இப்போது ஆங்கிலத்தில் சொல்வதையெல்லாம் தமிழில் சொல்ல அவகாசமில்லை. ஆகவே இப்போது சொல்லுகின்ற விஷயத்தை எல்லாம் தமிழ்ப் படுத்தி உங்களுக்குப் பின்னால் அனுப்பி வைக்கிறேன்.”

SRI M. KALYANASUNDRAM :—“ கனம் சபாநாயகர் அவர்களே, பொது சுகாதாரத்தைப்பற்றி விவாதிக்க இன்று 12 மணிக்கு சுகாதார மந்திரி அவர்கள் ஒரு கூட்டம் கூட்டியிருந்தார்கள். அதற்கு வரும்படி எங்களுக்கும் சொல்லியிருந்தார்கள். இன்று non-official day என்ற எண்ணத்தில் நாங்களும் அதற்குச் சம்மதித்தோம். சுகாதார மந்திரியும், சுகாதார இலாகா அதிகாரிகளும் எங்களுக்காக காத்துக் கொண்டிருப்பதால் இவ்வளவோடு இந்தச் சபையை பிற்பகல் வரை ஒத்திவைத்துவிடலாமென்று நான் அபிப்பிராயப்படுகிறேன்.”

THE HON. SRI C. SUBRAMANIAM :—“ Official work should have some priority over other matters.”

SRI M. KALYANASUNDRAM :—“ If necessary, we can sit till 5-30 p.m. in the afternoon.”

MR. SPEAKER :—“ The House will now adjourn and meet again at 2-30 p.m.”

The House then adjourned for lunch.

(After lunch—2-30 p.m.)

III.—MADRAS ASSEMBLY RULES AS APPROVED BY THE RULES COMMITTEE.—*cont.*

RULES 1 AND 2.

MR. SPEAKER :—“ No amendments have been given notice of to Rules 1 and 2. These Rules relate to ‘Short Title and Definitions’. I take it that the House approves the rules.”

Rules 1 and 2 were approved.

RULE 3.

MR. SPEAKER :—“ The question is—

‘That Rule 3 do stand part of the Madras Assembly Rules’.”

SRI K. P. GOPALAN :—“ I move—

‘Add at the end, the words “and for the meeting fourteen days’ clear notice shall be given to Members”.’

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SRI S. RAMALINGAM :—" Sir, I second the amendment."

MR. SPEAKER :—" Amendment moved—

'Add at the end, the words " and for the meeting fourteen days' clear notice shall be given to Members ".'

" There is some difficulty. Suppose a meeting of the Assembly has to be convened urgently. Does the hon. Member want that even in such urgent cases, 14 days' notice should be given? "

SRI S. RAMALINGAM :—" In such cases, the Hon. Speaker can be given discretion to waive notice . . . "

THE HON. SRI C. SUBRAMANIAM :—" In all these cases, the Hon. Speaker should be given discretion and he will take care to see that sufficient notice is given to all Members."

MR. SPEAKER :—" May I know whether the hon. Member is pressing his amendment? "

* SRI K. P. GOPALAN :—" I can understand, Sir, that the Hon. Speaker should be given discretion. Yet I feel, Sir, that the amendment can be accepted with a proviso that in cases of emergency the Hon. Speaker can waive giving 14 days' notice."

THE HON. SRI C. SUBRAMANIAM :—" I am sorry, Sir, I cannot agree to the amendment."

* SRI S. RAMALINGAM :—" Just as the Hon. Speaker has been given powers under the rules to waive notice and admit amendments to Bills, Short Notice Questions, etc., he can also be given powers to summon the meeting of the Assembly without giving 14 days' clear notice in urgent cases. We are prepared to accept a proviso to that effect. I think, Sir, there is no difficulty in accepting the amendment with the proviso suggested by me."

* SRI P. K. GOPALAKRISHNAN :—" Sir, the procedure followed here is that Members of the House are given notice of the summoning of the Assembly only a few days before the actual meeting commences. As it is very necessary that a study of the subjects that are likely to come up in a sitting should be made by hon. Members, at least two weeks' notice for a meeting of the Assembly should be given to the Members. As far as I know, such a procedure is followed in the Travancore-Cochin State. I support the amendment moved by hon. Member Sri K. P. Gopalan."

* SRI M. KALYANASUNDRAM :—" There is a real difficulty in this matter. Sometimes we find in the Press that the Assembly is meeting in the first week or second week of such and such a month. We are not sure of the date of the meeting. If hon. Members know definitely the dates of the meeting sufficiently earlier, they will be able to fix up their programme accordingly. The hon. Members have got other activities to attend to besides

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attending the Assembly Sessions, and they must know the dates of the Assembly meetings sufficiently earlier to fix up their programmes. I feel, Sir, it is advisable to accept the amendment of Sri K. P. Gopalan."

* THE HON. SRI C. SUBRAMANIAM :—" I agree, Sir, that hon. Members should have sufficient notice. All steps will be taken to give sufficient notice to hon. Members. After all, Sir, the date of the meeting of the Assembly is fixed in consultation with the Hon. Speaker and I do not think, Sir, the arrangement suggested in the rule is likely to cause any hardship to hon. Members.

" The hon. the Deputy Leader of the Opposition pointed out that though it is published in the Press that the Assembly is likely to meet in the first or second week, the exact date of the meeting is not published. I realize, Sir, that the hon. Members should know the exact date of the meeting. The exact date of the meeting cannot be published in the Press. You will remember, Sir, that on a previous occasion, Sri T. Viswanatham raised a privilege motion saying that Members of the House should know the date of the meeting earlier than others and that the publication of the date of the Assembly meeting even before Members came to know of it was wrong. It is on account of this fact the exact date of the meeting is not given to the Press. A similar procedure as has been adopted in this rule is also followed in the Lok Sabha. I do not think, Sir, there is any difficulty and you are there, Sir, to safeguard the rights of hon. Members. The amendment is not necessary. We shall see that sufficient notice of the meeting is given to hon. Members."

SRI K. P. GOPALAN :—" On the assurance given by the Hon. Minister, I am withdrawing my amendment."

The amendment was, by leave, withdrawn.

Rule 3 was approved.

RULE 4.

MR. SPEAKER :—" The question is—

' That Rule 4, do stand part of the Madras Assembly Rules '."

SRI S. KALYANASUNDRAM :—" I move—

' For the word " after " occurring in line 1, substitute the words " as soon as " . ' "

SRI S. RAMALINGAM :—" I second the amendment."

MR. SPEAKER :—" Amendment moved—

' For the word " after " occurring in line 1, substitute the words " as soon as " . ' "



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* SRI M. KALYANASUNDRAM :—" The word ' after ' as we understand may mean any day. So we must be sure that the address of the Governor is placed on the table of the House very soon afterwards."

* THE HON. SRI C. SUBRAMANIAM :—" Sir, the words ' as soon as ' are also not quite clear. Shall we have ' soon after the Governor had addressed both the Houses of the Legislature, etc.'? "

SRI C. KANDASAMY :—" Or we may have ' immediately after '."

THE HON. SRI C. SUBRAMANIAM :—" I should thank the Secretary. I shall explain. ' After ' occurring in the rule qualified ' at the first sitting ' occurring in the beginning. So, the rule is ' At the first sitting of the Assembly after the Governor had addressed, etc.' As it is, it is quite clear, I think."

MR. SPEAKER :—" It is merely a formality. I think we are following blindly the rules of the House of Commons. There in England it is necessary, because the Commons go to the House of Lords and hear the Address of the Crown. But here, it is the other House which comes here. This rule is the result of our blindly following the rules of the House of Commons. It is unnecessary."

SRI S. RAMALINGAM :—" Why should we not remove it altogether? "

THE HON. SRI C. SUBRAMANIAM :—" The rule as it is is quite clear and it may stand as it is."

SRI M. KALYANASUNDRAM :—" We agree, provided the usual practice is followed."

The amendment was, by leave, withdrawn.

Rule 4 was approved.

RULE 5.

MR. SPEAKER :—" The question is—

' That Rule 5 do stand part of the Madras Assembly Rules '."

SRI M. KALYANASUNDRAM :—" I move that—

' In sub-rule (1), after the words " Leader of the House ", insert the words " and the Leader of the Opposition " '."

* SRI S. RAMALINGAM :—" I second the amendment."

SRI K. P. GOPALAN :—" I move that—

' After the words " Leader of the House ", insert the words " and with the Leaders of the Opposition parties " '."

The amendment was duly seconded.

* SRI M. NARAYANA KURUP :—" We may have ' The Speaker shall, in consultation with the Business Advisory Committee, etc.' "

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* SRI M. KALYANASUNDRAM :—" Sir, to-day it may be Mr. Ramamurthi who is the Leader of the Opposition or anybody. That is not the point. The Business Advisory Committee is there for a certain specific purpose and constantly it will be meeting. But in case the Speaker consults—and it may be necessary for you, Sir, to consult on urgent matters, in fact not only the Leader of the House, but also the Leader of the Opposition—irrespective of the person, whoever he is, the Leader of the Opposition must also be consulted and that is the object of this amendment of mine."

* THE HON. SRI C. SUBRAMANIAM :—" I think the hon. Member can leave it to the Leader of the House and he will give that right to the Members. I will consult not only the Leader of the Opposition but Leaders of other parties as well. So much so, the views of all of them will be taken into consideration. If we put it as 'Leader of the House and the Leader of the Opposition', then naturally the Leaders of other parties will be left out and they will also have to be consulted. If we leave it as 'Leader of the House', I can give that assurance that I will consult all Leaders of Parties. And we may make it a convention that the Leader of the House shall consult with reference to this, the other party Leaders also."

MR. SPEAKER :—" There is some meaning in Mr. Kurup's amendment."

* THE HON. SRI C. SUBRAMANIAM :—" Business Advisory Committee will be appropriate. But if that is not agreeable, I would say simply 'Leader of the House', because I should consult all the party Leaders."

* SRI M. NARAYANA KURUP :—" We would have put 'Business Advisory Committee' then and there. This was not done, because we decided that later on. Otherwise, it would have been put there."

MR. SPEAKER :—" I shall now read. 'The Speaker shall, in consultation with the Leader of the House and Business Advisory Committee, etc.' I think that is acceptable. The question is that—

'After the words "Leader of the House," insert "and the Business Advisory Committee".'

The amendment was carried.

The amendments of Sri M. Kalyanasundram and Sri K. P. Gopalan, were by leave, withdrawn.

MR. SPEAKER :—" The question is—

'Rule 5, as amended, do stand part of the Madras Assembly Rules'."

The motion was carried and the rule, as amended, was approved.

Rules 6 and 7 were put and approved.

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RULE 8.

MR. SPEAKER :—" The question is—

‘ That Rule 8 do stand part of the Madras Assembly Rules ’."

SRI M. KALYANASUNDRAM :—" I move—

‘ Delete the rule ’."

SRI S. RAMALINGAM :—" I second the amendment."

SRI N. GOPALA MENON :—" May I suggest that—

‘ For the words “ and shall be dealt with by the Speaker as such at the next sitting of the Assembly,” *substitute* the words “ and the Speaker shall direct the Member to withdraw from the House and on his refusal to withdraw may order his removal by force ”.’ ”

MR. SPEAKER :—" There is some confusion in this matter. As it is, when the Governor addresses the Houses, neither the Speaker nor the Chairman presides and the hon. Member Sri Gopala Menon should understand that as such, the Speaker cannot say that an hon. Member should leave the House or sit down. So, the amendment of Sri Gopala Menon is not clear and is against the Constitution."

* SRI N. GOPALA MENON :—" I am aware of the fact that when the Governor summons the Legislature, he is the presiding person . . . "

MR. SPEAKER :—" There is nothing like the Governor presiding. He comes and addresses the Legislature. It is doubtful whether it is a meeting of the House at all. When the two Houses assemble together whether to call it a meeting of the House is itself doubtful."

* SRI N. GOPALA MENON :—" When the Governor summons both Houses of the Legislature, the entire Assembly hall is completely under the direction, control and orders of the Governor and the Speaker will not have jurisdiction, if I may use that word, over any Member for the purpose of enforcing order. It is the Governor or somebody on his behalf who has to do that. I am quite aware that my amendment will not be quite proper, because the Speaker cannot interpose in the middle and call a Member to order. I think such an amendment is absolutely unnecessary. I gave notice merely because there was an unfortunate incident previously in one case . . . "

THE HON. SRI C. SUBRAMANIAM :—" I submit that looking back is not necessary. By implication, the hon. Member thinks that Members may hereafter do such a thing. It is unworthy of us to do so."

SRI M. KALYANASUNDRAM :—" Then, that rule can be very well deleted altogether."

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* SRI N. GOPALA MENON :—" In case it happens? "

MR. SPEAKER :—" Simply because, it happened once, I do not think it will happen again."

* SRI N. GOPALA MENON :—" But for the fact that the gentleman who did it was respected by a large body of persons, the other persons would have bodily thrown him out. In fact, many of us did not like it, but we did not want that an unseemly thing should be done by us. On account of the respect for the gentleman concerned, we resisted our feelings and our emotions."

MR. SPEAKER :—" It has happened in some other Assemblies also. I do not want any Member to remove any other member bodily. If we have inserted this rule, it is only as a precaution."

* SRI M. KALYANASUNDRAM :—" Sir, the amendment of Sri Gopalan Menon is worse than the rule itself . . ."

MR. SPEAKER :—" He is not moving it."

* DR. K. B. MENON :—" I fully endorse the suggestion made by the hon. Member, Mr. Gopala Menon. I feel that the presence of such a rule in an Assembly Code, is not very creditable to the Members. I have also to say that such instances are not likely to happen and we need not anticipate them. Consequently, I feel that the rule may be deleted."

* SRI M. KALYANASUNDRAM :—" I do not think there is anything for me to speak very much about this rule. Even yesterday, I have explained my points. I am opposed to this rule and therefore I make a request to the House that the rule be deleted."

* THE HON. SRI C. SUBRAMANIAM :—" Sir, when we make a provision, it is no reflection on the Members. I am absolutely certain in my mind that none of the Members present in the Legislature will resort to those tactics. We are making these provisions not only for the present Assembly but also for the future Assemblies. We do not know what the future conditions would be. Therefore, it is absolutely necessary for all time that we make a provision. Only we are providing for a certain contingency. Known contingencies should be provided for and that is rule-making. If a contingency arose in the past, it may arise in the future. Then it is proper that it should be provided for in the rules."

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* SRI S. DEIVASIGAMANY :—" Sir, this rule does not provide for the immediate checking of any interruption or disturbance when the Governor is on his legs."

MR. SPEAKER :—" It is not possible."

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* SRI S. DEIVASIGAMANY :—“ Punishment or any other kind of action against such a Member comes only later on and, therefore, this rule is not necessary.”

MR. SPEAKER :—“ Because such a rule is there, Members may not resort to it.”

SRI T. ANANTA PAI :—“ I have a little difficulty in appreciating this provision. Obviously the rule refers to a Member of this House. As it happened last time, suppose it is a Member of the other House that interrupts and disturbs the address. I would like to know how such a thing can be prevented by a rule like this ”

MR. SPEAKER :—“ That House will pass a similar rule.”

* SRI P. K. GOPALAKRISHNAN :—“ Sir, I am thoroughly opposed to this rule and I support the amendment before the House, being one of the sponsors of it. I assert that it is the right of Members to express their opinion even while the Governor is addressing the Legislature. Members will express their opinion on the spot only when the Governor, whoever that person be, acts in such a manner as the Members cannot restrain their feelings. One such incident occurred some time ago because the Governor nominated a Member, who later . . . ”

THE HON. SRI C. SUBRAMANIAM :—“ Then you justify the rule.”

SRI P. K. GOPALAKRISHNAN :—“ Sir, I am entitled to have my own opinion and I feel that the walk-out on that occasion was perfectly justified. Therefore, the right of the Members in this respect should never be curbed.”

* THE HON. SRI C. SUBRAMANIAM :—“ I am afraid that the hon. Member is justifying the existence of such a rule. He justifies its retention with reference to the present Assembly itself.”

MR. SPEAKER :—“ I shall put the rule to vote now.”

SRI M. KALYANASUNDRAM :—“ What about my amendment to delete it ? ”

MR. SPEAKER :—“ It is a negative amendment. I shall put the rule to vote. If the hon. Member wants, he may oppose the motion. I will again put the question. The question is—

‘ That Rule 8 do stand part of the Madras Assembly Rules ’.”

The Rule was declared approved.

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A poll was demanded and the House divided thus :

Ayes—32.

The Hon. Sri C. Subramaniam.

Sri K. Rajaram Naidu.

„ B. Bhaktavatsalu Naidu.

„ R. Kuppuswami.

„ N. Ramakrishna Ayyar.

„ O. Venkatasubba Reddi.

„ S. Panchaksharam.

„ H. M. Jagannatham.

„ A. Ramachandra Reddier.

„ P. M. Munuswami Gounder.

The Hon. Sri S. S. Ramasami
Padayachi.

Sri M. S. Muniswami Pillai.

„ A. Aiyandar.

„ S. Thinakaraswami Thevar.

„ N. Rajagopal.

„ S. Arumugam Pillai.

Sri R. S. Arumugam.

„ Ramasundara Karunialaya Pandian.

„ M. Jagannathan.

„ G. Govindan.

„ M. C. Muthukumaraswami.

„ M. Marimuthu.

„ B. Vaikunta Baliga.

„ T. Ananta Pai.

„ K. H. Bomman.

„ N. Gopala Menon.

„ M. Venugopla Gounder.

„ M. Kattinuthu.

„ S. Radhakrishnan.

„ K. R. Viswanathan.

„ V. Govindaswami Naidu.

„ P. S. Krishnaswami Ayyangar.

Noes—23.

Sri M. Kalyanasundram.

„ C. Kandasamy.

„ S. Ramalingam.

„ V. R. Krishna Ayyar.

„ P. K. Gopalakrishnan.

„ T. S. Ardhhanari.

„ K. Madhavan Nambiar.

„ N. K. Palanisami.

„ E. T. Kunhan.

„ C. H. Kanaran.

„ R. Krishnan.

Dr. K. B. Menon.

Sri M. Narayana Kurup.

„ K. T. Sreedharan.

„ M. Palaniyandi.

„ K. Gajapathi Reddi.

„ S. Swayamprakasam.

„ K. Vinayakam.

„ A. Ratnam.

„ K. G. Palaniswami Gounder.

„ S. Deivasigamany.

„ K. R. Sambandam.

„ N. Rathina Gounder.

Neutral—Nil.

Ayes—33; Noes—23; Neutral—Nil.

The amendment was lost.

The Rule was approved.

RULE 9.

MR. SPEAKER :—“ The question is—

‘ That Rule 9 do stand part of the Madras Assembly Rules ’

SRI R. S. ARUMUGAM :—“ Sir, I move—

‘ In sub-rule (b) after the words “ and business ” insert the words “ except questions ”. ’

SRI H. M. JAGANNATHAM :—“ நான் ஆமோதிக்கிறேன். ”

MR. SPEAKER :—“ நீங்கள் என்ன அர்த்தம் வைத்துக்கொண்டு கேட்கிறீர்கள் ? ”

SRI R. S. ARUMUGAM :—“ கனம் சபாநாயகர் அவர்களே, கேள்வி நேரம் மிகவும் முக்கியமான நேரம். சில குறிப்பிட்ட மெம்பர்கள் அதிகப்படியான கேள்விகள் கேட்டுக்கொண்டிருக்கிறார்கள். இப்போதும் பல கேள்விகளைச் சேர்த்துக்கொள்ளவும் செய்திருக்கிறார்கள். புதிதாகக் கேள்வி போடவேண்டும் என விரும்பும் மெம்பர்களுக்கு தங்களுடைய தொகுதியைப் பற்றிய கேள்விகளைக் கேட்க விரும்பினால் அது வரத் தாமதம் ஆகும் அல்லவா ? அதனால்தான் இந்த இடத்தில் ‘கேள்விகள் நீங்கலாக’ என்று செய்யப்படவேண்டும் என்று கூறுகிறேன். ”

[9th December 1954]

MR. SPEAKER :—“ அப்படி அதிலே சேர்த்துக்கொள்ள முடியாதே !”

SRI R. S. ARUMUGAM :—“ என்னுடைய முக்கியமான அபிப்பிராயம் என்னவென்றால் ‘கேள்விகள் நீங்கலாக’ இருக்கவேண்டுமென்பதாகும். சில மெம்பர்கள் அதிகப்படியான கேள்விகளைக் கேட்டிருக்கிறார்கள். கிட்டத்தட்ட 100, 200 கேள்விகளைக் கேட்டிருக்கும் அங்கத்தினர்களும் இந்தச் சபையில் உண்டு. அதனாலே கேள்வி நேரத்திலே அவரவர்களுடைய தொகுதி சம்பந்தமாகவே பெரும்பாலும் பதிலளிக்கப்படுகின்றது. யாராவது ஒரு மெம்பர் தன்னுடைய தொகுதியைப் பற்றியோ அல்லது தன்னுடைய அபிப்பிராயத்தையோ ஒரு கேள்வி ரூபத்திலே போடவேண்டுமென்றால், இப்பொழுதுள்ள முறைப்படி முன்னால் பல கேள்விகள் இருக்கின்றன. அதனால் அதை அப்படியே பின்னால் சேர்த்துக்கொண்டு போகிறபோது அவர்களுக்கு சந்தர்ப்பம் ஏற்படுவதில்லை என்று கருதுகிறேன். அதனாலேதான் இந்த ‘கேள்விகள் நீங்கலாக’ இருக்கவேண்டுமென்று நினைக்கிறேன்.”

MR. SPEAKER :—“ நீங்கள் கேள்விகள் Pending ஆக இருக்கின்றன என்பதைத்தானே சொல்லுகிறீர்கள்? Amendment moved—

‘In sub-rule (b), after the words “and business”, insert the words “except questions”.’”

* **THE HON. SRI C. SUBRAMANIAM** :—“ What the hon. Member feels is that if under this rule all questions are carried over the next session when the Assembly is prorogued, some new questions, I mean questions, burning questions of the day might not get priority over the questions that have been carried over and which may not be very important. There is some point in what the hon. Member says. The questions carried over to the next session will have precedence over others. Suppose at that time, after the Assembly is prorogued, some hon. Member puts a question which is important and which is a burning question of the day, then it cannot be answered at once but it would be taken only after the questions that have been carried over, are answered. Once a session is prorogued the questions lapse and in the Secretariat also the concerned papers are lodged. Only after the concerned member renews all those old questions, further action is taken. They will start afresh in the Secretariat when the renewal notices are received. As far as the Secretariat is concerned, it is double work. Even though there is point in what the hon. Member feels, I think it is better not to allow these questions to lapse when a session is prorogued but to carry it over to the next session. That is my view.”

SRI M. PALANIYANDI :—“ மந்திரி அவர்களே ஒப்புக்கொண்டார்கள் என்று நினைக்கிறேன். அதுபோல் புது மெம்பர்கள் அனுப்பக்கூடிய கேள்விகள் இந்த சட்டசபைக் கூட்டம் ஒத்திவைக்கப் (prorogue) பட்ட பிறகு அந்தக் கேள்விகள் மறைந்துவிடக்கூடிய நிலைமை இருக்கின்ற காரணத்தினாலே, மெம்பர்கள் மிகவும் கஷ்டத்திற்குள்ளாக்கப்படுகிறார்கள். ஆகையால் அடுத்த சட்டசபைக் கூட்டத்தில் அவைகள் வரவேண்டுமென்று இருக்கவேண்டும் என்று கருதுகிறேன்.”

MR. SPEAKER :—“ அவர்தான் வேண்டாம் என்கிறாரே ?”

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SRI M. PALANIYANDI :—“ நான் வேண்டுமென்று சொல்லுகிறேன்.”

MR. SPEAKER :—“ நீங்கள் வேண்டுமென்று சொல்லுகிறீர்கள், அவர் வேண்டாமென்று சொல்லுகிறார்.”

* **SRI M. NARAYANA KURUP** :—“ Even though there is something in what the hon. Member says, I think by accepting his amendment the purpose would not be served. Those hon. Members who are very eager in sending questions will see to it that they renew their questions the moment a session is prorogued. At that time they will take care to renew important questions. If an hon. Member feels that a particular question is not an important one, it is left to him to withdraw that question. So far as idle members are concerned, they will not bother themselves in sending any questions. Therefore I think the rule as it stands, viz., that pending questions would be carried over to the next session when the Assembly is prorogued, is quite good and it should remain. That is why I feel the amendment of the hon. Member is not necessary.”

SRI M. KALYANASUNDRAM :—“ கனம் சபாநாயகர் அவர்களே, நண்பர் ஆறுமுகம் அவர்கள் சொன்னதிலும் ஒரு உண்மையிருக்கிறது. ஆனால் அதற்கு அனுதாபம் காட்டவேண்டிய அவசியமில்லை. இருந்தாலும் நமது நிதி மந்திரி அவர்கள் எடுத்துக்காட்டிய கஷ்டத்தை ஆலோசிக்கும்போது, நாம் அனுப்பக்கூடிய கேள்விகள்மீது ஏராளமான பணத்தை சர்க்கார் செலவழித்து, பதில்கள் திரட்டப்படுகின்றன என்பது அறியப்படுகிறது. அப்படி பதில்கள் திரட்டும்போது, திடீரென்று சட்டசபை ஒத்திவைக்கப் (prorogue) ப்டும்போது, அவைகள் அதற்குப் பிறகு வரும் பதில்களாக ஆகிவிடுகின்றன. ஆகவே இப்பொழுது நண்பர் அவர்கள் கொண்டுவந்திருக்கக்கூடிய திருத்தப்படி, ஒரு அங்கத்தினர் கேள்விகள் எழுதிக்கொடுத்திருந்து அது அந்தக் கூட்டத்திலேயே பதிலளிக்கப்படவில்லையானால், அது லாப்ஸ் (lapse) ஆகிவிடும். ஆகவே அவர்கள் மறுபடியும் கேள்விகளை எழுதி புதியதாக நோட்டீஸ் அனுப்பவேண்டும். டிபார்ட்மெண்டுகளிலும் இன்றைக்கு இருக்கக்கூடிய நிலைமையில், பதிலை கொஞ்சம் நாள் கழித்து அனுப்பினால் அதற்குள் சட்டசபை ஒத்திவைக்கப்பட்டு விடுமென்று மெள்ள அனுப்பக்கூடிய நிலைமை ஏற்படும். ஆகவே சட்டசபை ஒத்தி வைக்கப்பட்டாலும், கேள்விகளுக்கு பதில் அளிக்கக்கூடிய நிலைமையிருந்தால் கண்டிப்பாக பதிலை அனுப்பி வைக்கவேண்டுமென்பதற்காக, கீழேயுள்ளவர்கள் முதல் சற்றுத் துரிதமாக அனுப்பி வைப்பார்கள். ஆகவே நான் இந்த திருத்தத்தை எதிர்க்கிறேன். இப்பொழுது இருக்கிறபடியே இருக்கலாம் என்று கருதுகிறேன்.”

* **SRI R. S. ARUMUGAM** :—“ இதிலும் இன்னொரு அபிப்பிராயத்தை தெரிவித்துக்கொள்ள விரும்புகிறேன்.”

MR. SPEAKER :—“ நீங்கள் வாபஸ் பெற்றுக் கொள்ளுகிறீர்களா? அல்லது நான் ஓட்டுக்கு விட்டுமா?”

* **SRI R. S. ARUMUGAM** :—“ அதிலும் இன்னொரு அபிப்பிராயத்தைத் தெரிவித்துக்கொள்ள விரும்புகிறேன். அப்படி சட்டசபை ஒத்திவைக்கப்பட்ட பிறகு மீதம் இருக்கக்கூடிய பதில்களை அந்தந்த மெம்பர்களுக்கு அனுப்பிவிடலாமே என்று எண்ணுகிறேன். அல்லது தினசரி கேள்வி நேரத்திலே கேள்வித் தாள்களில் ஒரு மெம்பருக்கு மூன்று

[Sri R. S. Arumugam] [9th December 1954]

கேள்விகளுக்குமேல் அதிகப்படியாக இல்லாதபடி செய்தால் நல்லதாக இருக்குமல்லவா? அப்படியாவது ஏற்பாடு செய்ய முடியுமா என்பதைப் பாருங்கள்.”

MR. SPEAKER :—“ கேள்விகளுக்கு ரேஷன் செய்ய வேண்டுமென்று கூறுகிறீர்களா? இப்பொழுது நீங்கள் உங்கள் திருத்தத்தை வாபஸ் பெற்றுக்கொள்ளுகிறீர்களா? இல்லையா?”

SRI R. S. ARUMUGAM :—“கனம் மந்திரி அவர்களும் இந்த திருத்தம் வரவேண்டிய அவசியம் இல்லை என்று கருதுவதால் நான் என்னுடைய திருத்தத்தை வாபஸ் வாங்கிக்கொள்கிறேன்.”

The amendment of Sri R. S. Arumugam was by leave of the House withdrawn.

Rule 9 was approved.

Rules 10 and 11 were approved.

RULE 12.

MR. SPEAKER :—“ The question is—

‘That Rule 12, do stand part of the Madras Assembly Rules.’ ”

* **SRI M. KALYANASUNDRAM** :—“ Sir, I move—

‘In sub-rule (1) in line 3, after the words “ as early a date as possible ”, insert the words “ not later than one month from the date of the vacancy ”.’ ”

The amendment was duly seconded.

MR. SPEAKER :—“ Amendment moved—

‘In sub-rule (1) in line 3, after the words “ as early a date as possible ”, insert the words “ not later than one month from the date of the vacancy ”.’ ”

“ I do not know why the hon. Member wants one month's time. The very next day, when the vacancy of a Speaker arises, one should be elected. The Speaker's seat is a very important seat. His position is an important one. In England one Speaker died in harness. I think it was Fitzboy. I do not know exactly the name. He died on a particular day. The very next day, another man was elected as the Speaker. I think we should follow that example. We must elect the very next day when a vacancy arises. I do not know why the hon. Member wants one month's time.”

* **SRI M. KALYANASUNDRAM** :—“ It is only to restrict the time prescribed in the rules, I have moved the amendment. We have said ‘ not later than one month from the date of the vacancy ’ another Speaker should be elected. Under the existing rules, Governor is free to fix any day beyond one month. It is left to his discretion. We have only fixed the time-limit of one month. The election may be held earlier. It should not exceed one month. That is what we say.”

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MR. SPEAKER :—“ When it is said ‘ not later than one month ’, that means it can take one week or two weeks. What I say is, in view of the Speaker’s seat being an important one, the election should be held the very next day. That is why we have said that ‘ as early as possible ’ the Governor shall fix a day for the election of another Speaker in the vacancy caused.”

The amendment of Sri M. Kalyanasundram was, by leave of the House, withdrawn.

SRI M. KALYANASUNDRAM :—“ Sir, I move—

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p.m.

‘ After sub-rule (6), insert the following proviso :—

“ Provided that the candidate to be declared elected should get more than fifty per cent of the votes of the members present on the day of the voting.” ”

SRI S. RAMALINGAM :—“ Sir, I second the amendment.”

MR. SPEAKER :—“ Amendment moved—

‘ After sub-rule (6), insert the following proviso :—

“ Provided that the candidate to be declared elected should get more than fifty per cent of the votes of the members present on the day of the voting.” ”

“ Is this not repugnant to the Constitution? As it is, the Speaker can be elected even by a majority of one vote.”

* SRI P. S. KRISHNASAMY AYYANGAR :—“ Sir, I think there is an absurdity with regard to this matter. Suppose there are only fifty members present. Ten members do not register their votes and only forty members register their votes. Twenty-three are for the election of a particular candidate. In this case, the candidate gets the larger number of votes but it will be less than fifty per cent of the number of members present. At this rate, the election will not be held at all. Such things may happen. I, therefore, feel that the amendment should not be accepted.”

* SRI M. KALYANASUNDRAM :—“ Sir, I think that if the words ‘ and voting ’ are added after the word ‘ present ’ there would not be any difficulty.”

MR. SPEAKER :—“ Even by a majority of a single vote, a member can be elected as Speaker.”

* SRI M. KALYANASUNDRAM :—“ ஸார், என்னுடைய திருத்தத்தைச் சற்று விளக்குகின்றேன். ஸ்ரீ பி. எஸ். கிருஷ்ணசாமி அய்யங்கார் அவர்கள் எடுத்துக்காட்டிய மாதிரி 231 அங்கத்தினர்கள் இருக்கக் கூடிய இந்தச் சபையில் ஐம்பது பேர்கள் மட்டும் வந்திருந்து, 26 அல்லது 27 பேர்கள் ஒருவருக்கு வோட்டு அளித்தால் இன்றுள்ள விதியின்படி அவர் சபாநாயகராகத் தேர்ந்தெடுக்கப்பட்டுவிடலாம். சபாநாயகர் ஸ்தானமானது மிக முக்கியமானதாகும். அப்படியிருக்க 231 அங்கத்தினர்களைக்கொண்ட சபையில் 26 பேர்களுடைய வோட்டைக்கொண்டு மட்டும் ஒருவர் சபாநாயகராக

[Sri M. Kalyanasundram] [9th December 1954]

வரக்கூடிய முறை இருக்கக்கூடாது. அந்தமாதிரியான நிலைமை இந்தச் சபையில் வராது. இருந்தபோதிலும், நான் கொடுத்திருக்கும் திருத்தத்தின் பிரகாரம் 231 பேர்கள் இருக்கும் சபையில் பாதிக்குமேல் சாதகமாக வோட்டு அளிக்கவேண்டும். நான் ஏற்கெனவே சொன்னபடி "and voting" என்ற வார்த்தைகளைச் சேர்த்துக்கொண்டால் ஒருவித ஆட்சேபணையும் இருக்காது என்று நினைக்கிறேன்."

* SRI S. SWAYAMPRAKASAM :—" Sir, if the hon. Member's amendment were to be accepted, it will offend the other rule where it is stated that the Speaker's seat should be filled up as early as possible. We may not be in a position to elect a Speaker."

THE HON. SRI C. SUBRAMANIAM :—" Sir, the hon. Member Sri Kalyanasundram wants that the candidate to be elected as Speaker should get more than fifty per cent of the votes of the members present on the day of the voting. That does not solve the problem which he has posed before us and it would lead to difficulties as pointed out by the hon. Member Sri P. S. Krishnasamy Ayyangar. Suppose some members, who are present, do not register their votes. Even if a person gets the majority of votes, he cannot get himself elected. The existing rule is all right. I do not think that any change is called for. I request the hon. Member to withdraw his amendment."

The amendment was, by leave, withdrawn.

Rule 12 was approved.

RULE 13.

MR. SPEAKER :—" The question is—

'That Rule 13 do stand part of the Madras Assembly Rules'."

* SRI M. KALYANASUNDRAM :—" Sir, I am not moving my amendment to this Rule."

SRI S. RAMALINGAM :—" Sir, why should not we have this at least in respect of the election of the Deputy Speaker? "

MR. SPEAKER :—" I cannot understand why there should be a distinction."

Rule 13 was approved.

Rules 14 to 17 were approved.

RULE 18.

MR. SPEAKER :—" The question is—

'That Rule 18 do stand part of the Madras Assembly Rules'."

SRI A. RATNAM :—" Sir, I am not moving my amendment."

Rule 18 was approved.

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RULE 19.

MR. SPEAKER :—" The question is—

' That Rule 19 do stand part of the Madras Assembly Rules.' "

* SRI P. S. KRISHNASAMY AYYANGAR :—" Sir, I move—

' For the word "*after*" occurring in line 3, substitute the word "*during*".' "

SRI M. JAGANNATHAN :—" Sir, I second the amendment."

MR. SPEAKER :—" The amendment moved—

' For the word "*after*" occurring in line 3, substitute the word "*during*".' "

* SRI P. S. KRISHNASAMY AYYANGAR :—" Sir, Rule 19 deals with the procedure to be adopted for adjourning the House if a quorum is not present at a particular point of time. The rule, as it is worded, says that if there is no quorum present, we shall have to wait for fifteen minutes and only *after* the lapse of the fifteen minutes we will have to ascertain whether a quorum has been formed or not. But it may be that a quorum is formed within the interval of fifteen minutes, that is, during the course of the fifteen minutes. If such a thing happens, can the House continue its business? That is the question now. Thinking that the intention of the framers of this Rule is that we shall have to wait at least for fifteen minutes and afterwards only we can ascertain whether a quorum is present or not, I have given notice of this amendment."

* THE HON. SRI C. SUBRAMANIAM :—" I would like to invite the attention of the hon. Member to the words ' still not present '. That shows that as soon as the quorum is present, the House becomes a properly constituted one and we can proceed with the business of the House."

* SRI P. S. KRISHNASAMY AYYANGAR :—" Sir, as it is, it reads as if we shall have to wait for at least 15 minutes even though the quorum has been formed in the meanwhile."

* THE HON. SRI C. SUBRAMANIAM :—" The words ' still not present ' are governed by the subsequent words ' shall adjourn the House '. But for the purpose of resuming our business, as soon as the quorum is present, we can commence our business."

* SRI P. S. KRISHNASAMY AYYANGAR :—" If this rule is approved as it is, I would like to know whether we can commence the proceedings before the expiry of the fifteen minutes if there is a quorum present."

THE HON. SRI C. SUBRAMANIAM :—" By all means, we can."

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* SRI P. S. KRISHNASAMY AYYANGAR :—" Sir, if the word ' after ' is allowed to be retained, I think we cannot."

* THE HON. SRI C. SUBRAMANIAM :—" Sir, I think the hon. Member has not properly read the rule. The rule says ' If at any time it is brought to the notice of the Chair that a quorum is not present, the division bell shall be rung and if, after an interval of not less than fifteen minutes a quorum is still not present, the person presiding shall adjourn the House to the next day '. The duration of fifteen minutes is prescribed for the purpose of adjourning the House. But as soon as the quorum is present, we can proceed with the business of the House. I request the hon. Member to withdraw his amendment."

The amendment was, by leave, withdrawn.

Rule 19 was approved.

RULE 20.

MR. SPEAKER :—" The question is—

' That Rule 20 do stand part of the Madras Assembly Rules.' "

3-20
p.m.

SRI A. RATNAM :—" Sir, I move the following amendment :—

' For the figures, letters and words " 11 a.m. and conclude at 5 p.m.", substitute the figures, letters and words " 10 a.m. and conclude at 4 p.m." ' "

SRI S. DEIVASIGAMANY :—" I second the amendment, Sir."

MR. SPEAKER :—" Amendment moved—

' For the figures, letters and words " 11 a.m. and conclude at 5 p.m.", substitute the figures, letters and words " 10 a.m. and conclude at 4 p.m." ' "

SRI A. RATNAM :—" சட்டசபை நடவடிக்கைகளானது சாதாரணமாக காலை 11-மணிக்கு ஆரம்பித்து மாலை 5-மணிக்கு முடியலாம் என்று 20-வது விதி கூறுகிறது. என்னுடைய திருத்தமானது காலை 10-மணியிலிருந்து மாலை 4-மணி வரையில் இருக்கலாம் என்று கோருகிறது. இதற்குக் காரணம் என்னவென்றால், மேல் சபை சாதாரணமாக மாலை 4-மணிக்குக் கூடுகிறது. அப்பொழுது மந்திரிகள் அங்கு போகவேண்டிய சந்தர்ப்பம் ஏற்படுகிறது. அரை மணி நேர விவாதங்களை அனுமதிப்பதற்கும் இது செனகரியமாக இருக்கும். மெம்பர்களுக்கு இடைவேளையில் உணவு அருந்துவதற்குப் போதிய நேரம் கிடையாது. இன்று நடந்த அசம்பாவிதத்தைப் போல் மேலும் நடக்கக்கூடாதென்ற கருத்தை உள்ளடக்கியே நான் சொல்லுகிறேன். அங்கத்தினர்களெல்லாம் காரியாலயங்களில் வேலை செய்யும் குமாஸ்தாக்களைப்போல் அல்ல. மாலை நேரங்களில் அவர்களுக்குப் போதிய அவகாசம் வேண்டும். அமைச்சர்களுக்கும் அவகாசம் கொடுக்கவேண்டும். ஆகவே என்னுடைய திருத்தமானது மிக முக்கியமானது. அமைச்சர் அவர்கள் அதை ஏற்றுக்கொள்ளவேண்டுமென்று கேட்டுக்கொள்கிறேன்."

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* SRI N. GOPALA MENON :—“ Sir, I move the following amendment :—

‘ For the figures and letters “ 11 a.m.” and “ 5 p.m.”, substitute the figures and letters “ 8-30 a.m.” and “ 1 p.m.” respectively.’

“ Sir, the object of my amendment is to indicate that it will be much better if we sit early in the morning and the evenings are let free for holding Party meetings and for other activities. I think much good work is done outside the Assembly Chamber also because when Members go to Madras for attending the meetings of the Assembly, they have their Party meetings also in which many things of importance are decided. Now, what happens is this. If we have a continuous session between 11 a.m. and 5 p.m., Members feel tired at the end of the day and if there is any meeting after the Assembly sitting is over for the day, they are not in a mood to proceed with the work. Therefore, it would be much better if the evening time is let free either for Party activities or for recreational purposes which are also as important as legislative work. Therefore, I put it to the hon. Members to consider whether it will not be advisable to change the hours of sitting. After all, we, South Indians, are early risers. Also, our City is, during the most part of the year, hot. So, we would like to have the pleasant hours of the day, the morning hours, for discussion in the Legislative Assembly.”

MR. SPEAKER :—“ If we have the sitting in the morning hours, when can we have half-hour debates? ”

* SRI N. GOPALA MENON :—“ Apart from that, I am told that in Bengal the Members of the Legislature meet at 3 p.m. and in the Travancore-Cochin State they meet at 8 a.m. and break off at noon. I know that in Malaya and other places even schools commence work at 8-30 a.m. or so and that the children go off at 1 p.m. They are having the whole of the afternoon for playing games and so on. An arrangement like that would be eminently suitable for us here. Most of our Members are living in the Hostel provided here and it will be easy for them to come in the morning, finish their work in the forenoon and have evening hours for having their Party meetings or friendly meetings or for purposes of recreation or going to cinemas and things of that sort.”

* SRI S. SWAYAMPRAKASAM :—“ Sir, in seconding the amendment, I want to make one more point. If the time after 1 p.m. is available for Members, they can prepare themselves well for the next day's work.”

MR. SPEAKER :—“ Then, when can we have our half-hour debates? ”

* SRI S. SWAYAMPRAKASAM :—“ Immediately after 1 p.m., Sir. If we are expected to be fresh after 5 p.m. for a half-hour debate, we can be fresh after 1 p.m. too.”

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MR. SPEAKER :—" Amendment moved—

' For the figures and letters " 11 a.m." and " 5 p.m.", substitute the figures and letters " 8-30 a.m." and " 1 p.m." respectively '."

* SRI V. R. KRISHNA AYYAR :—" Sir, I also agree with the suggestion to hold the sittings of the Assembly from 8-30 a.m. to 1 p.m. for this reason. After the actual work inside the Assembly Hall is over, we may like to have discussions or meetings with Ministers for representing various matters. The afternoon can be used up for that purpose, particularly, in the Secretariat because there alone it may be possible even for the Ministers to get correct or accurate information. For such purposes, it may be advantageous to have the afternoon free. If the sitting of the Assembly is spread over from 11 a.m. to 5 p.m., after 5 p.m. people may feel jaded especially in a City like Madras where it is sultry or almost sultry during a major part of the year. Therefore, it may be advantageous to sit in the forenoon and use the afternoon constructively for legislative work but not inside the Assembly Hall."

* DR. K. B. MENON :—" Sir, my feeling is that it is very convenient for those who are residing inside the Government Estate to come in the morning, but it may not be so very convenient for those who have to come from outside and from a distance. 8-30 a.m., I am afraid, is too early except in summer. Therefore, I feel that the hour should be pushed a little further from 8-30 a.m."

* SRI M. NARAYANA KURUP :—" While we are having the rule that the sittings should be held from 11 a.m. to 5 p.m., the Hon. the Speaker has been pleased to hold the sittings sometimes from 8-30 a.m. to 1 p.m. Therefore, if in winter or at any particular time any inconvenience is felt, nothing prohibits our sittings being held at a different time."

MR. SPEAKER :—" Generally, we are expected to work for five hours. If we have the sitting from 8-30 a.m. to 1 p.m., we will work for only four and a half hours."

* SRI M. KALYANASUNDRAM :—" Let the rule remain as it is as it provides for any adjustment. If all of us join together and make a request to you, you are prepared to fix a different time."

MR. SPEAKER :—" That is what we are going to do for the Budget Session."

* SRI M. KALYANASUNDRAM :—" Let the rule remain as it is. If we feel that the sitting should be held from 8 a.m. to 1 p.m., we can have it. But, then, other things also must be taken into consideration. The staff of your office—it may be all right for Members—should not feel it inconvenient to come early in the morning. I do not know what the Press Correspondents

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will feel about it. Therefore, the rule may remain as it is. If so desired, the Speaker has got ample powers to change the hours of sitting."

THE HON. SRI C. SUBRAMANIAM :—" The question is what the normal hours of business should be."

MR. SPEAKER :—" Five hours."

* THE HON. SRI C. SUBRAMANIAM :—" That is one thing. Another thing is this. It is all right for hon. Members who can go out and then come back at any time. But there are some people who have got to be present here throughout whatever business may be transacted. To sit continuously for 4½ hours or 5 hours would be rather difficult. Apart from that, during winter it will be very difficult to be here at 8-30 a.m. Further, the point made by the hon. the Deputy Leader of the Opposition with regard to the staff and the Press Reporters also will have to be borne in mind. With regard to the other suggestion that the sitting may be held from 10 a.m. to 4 p.m., it is neither here nor there. If we have the sitting from 11 a.m., people who are accustomed to take their meal in the forenoon will finish it and come here and have only a light tiffin in the lunch interval. But if we have the sitting from 10 a.m., they cannot have their food before 10 a.m. and then, having come here, they will find it difficult to go anywhere else for their food. Especially, those Members who have to depend upon the hotels and also the staff will feel this difficulty. Considering all these things, I think the normal hours of sitting should be from 11 a.m. to 5 p.m. subject to adjustment later on. If the time is changed, Members also should feel that it is not the normal position."

SRI A. RATNAM :—" I beg leave to withdraw my amendment."

The amendment was, by leave, withdrawn.

SRI N. GOPALA MENON :—" I beg leave to withdraw my amendment."

The amendment was, by leave, withdrawn.

Rule 20 was approved.

RULE 21.

MR. SPEAKER :—" The question is—

' That Rule 21 do stand part of the Madras Assembly Rules.' "

3-30
p.m.

SRI M. KALYANASUNDRAM :—" Sir, I move the following amendment standing in my name :—

' (i) Add at the end of sub-rule (1), the words " on the previous day of business " .

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- (ii) *Add at the end of sub-rule (3), the words " and if there is objection from 20 or more members, the order shall not be changed ".*

SRI S. RAMALINGAM :—" I second the amendment, Sir."

MR. SPEAKER :—" Amendment moved—

' (i) *Add at the end of sub-rule (1), the words " on the previous day of business ".*

(ii) *Add at the end of sub-rule (3), the words " and if there is objection from 20 or more members, the order shall not be changed ".*

* THE HON. SRI C. SUBRAMANIAM :—" Trouble will arise when we may have to make a sudden alteration in the agenda. This will not be possible if there is a definite rule that the agenda should be circulated to the Members on the previous day of business. Otherwise I have no objection to the amendment.

" If the other amendment is carried, it will not be possible to make any addition or alteration in the agenda even after consultation with the leaders of parties and others. That is why I respectfully submit that the amendment is quite unnecessary in view of the fact that we are already circulating the list of business to the hon. Members on the previous day."

MR. SPEAKER :—" Yes, even now the agenda and other papers are circulated to the hon. Members the previous day."

* SRI M. NARAYANA KURUP :—" Sir, it is but proper that we should know even on the previous day what will take place the next day. At least by the evening of the previous day we must know what is going to take place on the next day. As for the difficulty anticipated by the Hon. the Minister for Finance, I wish to submit that even now there is a rule that by three-fourth majority any rule can be held in abeyance for any particular purpose. If there was an urgent matter and if some alteration, addition or some other change were to be incorporated in the agenda circulated to the hon. Members on the previous day, it can be very well done."

* SRI P. S. KRISHNASAMY AYYANGAR :—" I wish to make a submission, Sir. If the House meets after an interval of some months, it will not be practicable to circulate the list of business relating to the first day's sitting on the previous day, because many of the Members may not be present here on the previous day. So, it will not be possible to circulate the list of business to all of them on the previous day."

MR. SPEAKER :—" The agenda is being sent to their houses."

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* SRI P. S. KRISHNASAMY AYYANGAR :—“ But then, they would have left their houses and they will be in the course of their travel. Such Members may not get the agenda at all. Under these circumstances, I wish to point out that the amendment will not be proper.”

* SRI M. KALYANASUNDRAM :—“ Sir, it is not my intention that the rule should be obstructive. But, I fail to understand the difficulty anticipated by the Hon. Finance Minister. Even now the agenda and other papers are being circulated to us on the previous day. My amendment only seeks to register a practice which is already in vogue. If any new item is to be included, the rules already provide for its inclusion. So, I do not understand how there can be any difficulty in accepting the amendment.”

* THE HON. SRI C. SUBRAMANIAM :—“ Sir, there are two points for consideration. As the hon. Deputy Leader of the Opposition has himself put it, the present arrangement has been working all right. No difficulty has been experienced in the present arrangement. If any difficulty or hardship has been experienced, I can understand the need for changing the present rule to overcome that difficulty. As the present arrangement has been working very well without causing difficulty or hardship, I do not think it necessary to change it.”

* SRI V. R. KRISHNA AYYAR :—“ Sir, I personally feel that so far as the solemn and important meeting of the Legislative Assembly is concerned, it would be more proper that the agenda and other papers are circulated to the Members a day earlier than the actual day of meeting so that they may be able to study the papers and prepare for the next day's meeting. Sir, I think the amendment is necessary both in form and substance. Because, Members must have some time to prepare for the next day's meeting. This will be possible only if they know even on the previous day what is going to happen the next day. They must know the nature of business that will be transacted the next day. Secondly, even now the agenda and other papers are circulated to the Members on the previous day. So there is nothing wrong in giving a concrete legal form on sanction to a practice that is already in vogue. If, however, the Hon. Minister were to think that it will not be possible to make any alteration or change or addition in the agenda in extraordinary or exceptional circumstances, we can add the word 'ordinarily'. If this is done, I am sure the difficulty experienced by the Hon. Minister can easily be circumvented.”

* THE HON. SRI C. SUBRAMANIAM :—“ If the hon. Members on the opposite want to satisfy themselves by making a change in the present rule, I have absolutely no objection. But, I wish to point out that there must be some purpose in effecting any change. Even now, we are circulating papers to hon. Members on the previous day. So there is absolutely no purpose in changing the rule, especially when the present arrangement has been working satisfactorily.”

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* SRI N. GOPALA MENON :—“ Sir, in many of these matters we must be guided by conventions. Now, the list of business is being circulated on the previous day. Supposing we incorporate a rigid rule in the Assembly Rules, it will be open to any Member to come the next morning and say that a particular item of business was not included in the list of business supplied to him the previous day and as previous notice of this item was not given to him, the proceedings of the Assembly that day must be stopped. I am not simply imagining of an objection like that. For I know in Courts, for instance in the original side, there is a rule that certain matters must be published in the Rough List and also the Court Notice Board a certain number of days earlier than the day on which those matters are likely to come up for hearing. Sometimes, objection is taken in Courts on the ground that a particular matter was not published in the Rough List two days earlier or has not been put on the notice board seven days previously as required by the rules, and therefore the case cannot go on. In the same manner, any hon. Member will be perfectly in order if he says that a particular item was not found in the agenda circulated to him and that he was not given previous notice of the item and so the House cannot proceed with the consideration of this particular item of business, and if it proceeded with the item it will be irregular. That is why I said that in all these matters we should be guided by conventions and must very largely depend upon the good sense of the Speaker, the Secretariat and all those who are responsible for the conduct of the business of the Legislative Assembly. Therefore, I think that the rule as it is will be quite all right.”

* SRI V. R. KRISHNA AYYAR :—“ What I suggest is this. It is quite all right to have unwritten conventions. Everything will be all right so long as we proceed on right lines, so long as there is mutual goodwill and so long as there is absolutely no reason to suspect that goodwill. Under those circumstances, everything will certainly move on the best of terms and understanding and good spirit and healthy conventions may also be very useful then. But, when once we sit down here to reduce such conventions to rules, I cannot understand why there should be objection to giving a concrete shape in the form of a rule to a practice that is already in existence.”

MR. SPEAKER :—“ Even now, there are certain conventions.”

* SRI V. R. KRISHNA AYYAR :—“ What is the harm in reducing those conventions to rules? After all we are trying to put these conventions as rules.”

MR. SPEAKER :—“ But the amendment is too minute.”

* SRI V. R. KRISHNA AYYAR :—“ Even now, the practice is to circulate the list of business on the previous day. It is better we make it a rule. Why should not practice and rule run on parallel lines? Why should practice go in one way and rule in a different

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[Sri V. R. Krishna Ayyar]

way? We are all anxious to get the agenda and other papers even on the previous day. Now that this is already being done, we want that a definite rule may be incorporated in the Assembly Rules, especially when we are engaged in the task of framing the Assembly Rules. I only wish to emphasis that practice should correspond to rules. After all, the amendment, when carried, will only give a legal sanction to a practice which is already in existence. If any abnormal, exceptional or extraordinary contingency were to arise in which case any addition or alteration in the agenda and other papers circulated to the Members on the previous day is necessitated, it can very easily be done by accepting my suggestion to add the word 'ordinarily' to the amendment already moved by Sri Kalyanasundaram. If this is done, I am sure it will meet the requirements of the situation."

* SRI M. NARAYANA KURUP :—" Sir, I am opposed to the introduction of the word 'ordinarily'. The rule will be better if it is left as it is rather than include the word 'ordinarily' because that will be an invitation for trial of introducing agendas on the same day. If at all we want to add anything to the rule we may add 'the previous day' or not add anything at all. The word 'ordinarily' will be an unnecessary innovation."

3-40
P.m.

SRI M. KALYANASUNDRAM :—" கனம் சபாநாயகர் அவர்களே, நாங்கள் கொடுத்திருக்கிற திருத்தத்தை அப்படியே ஏற்றுக்கொள்ள முடியாவிட்டாலும் முன்பு இருக்கிறபடியே இருக்கலாம் என்பது என்னுடைய அபிப்பிராயம். ஆனால் இந்தத் திருத்தம் கொடுக்கவேண்டுமென்ற கருத்து எதனால் எழுந்தது என்று மாத்திரம் சொல்லிக் கொள்ள விரும்புகிறேன்.

"ஒவ்வொரு நாளும் நிகழ்ச்சி நிரல் கொடுக்கப்படுகிறது. ஆனால் சபை நிகழ்ச்சி நிரலில் கண்ட விஷயங்களை எல்லாம் சில சமயங்களில் அன்றைக்கே முடிக்க முடியாது போய்விடுகிறது. அவைகள் மறுநாள் நிகழ்ச்சி நிரலில் கொடுக்கப்படாவிட்டாலும்கூட மறுநாளைக்கு வருகிறது. அங்கத்தினர்கள் சிலர் எதிர்பார்க்காத விஷயங்கள் திடீர் திடீர் என்று சில சமயம் வருகிறது. ரெவின்யூ, மந்திரி இந்த மோஷனை மூவ் பண்ணுவார், நிதி மந்திரி இந்த மோஷனை மூவ் பண்ணுவார் என்று சபாநாயகர் படிக்கும்போது அவர்களுக்கு ஒன்றுமே புரியாமல் போய்விடுகிறது. குறிப்பாக தினசரி காலையில் வந்தவுடனேயே கட்சித்தலைவர்கள் எல்லாம் சபாநாயகர் அறையிலே கூடி இன்னென்ன விஷயங்கள் இன்றைய விவாதத்தில் வரும் என்று முடிவு செய்துவிடுவதால் அது எங்களுக்கு எல்லாம் தெரிந்துவிடுகிறது. அதைப் போலவே அந்தக் கட்சித் தலைவர்கள் தங்கள் கட்சி அங்கத்தினர்களுக்குச் சொல்லாவிட்டால் அவர்களுக்கும் தெரிந்துவிடும். ஆனால் எந்தக் கட்சியிலும் சேராதிருக்கக் கூடியவர்களுக்கு அவ்விஷயம் தெரியாமலே போய்விடலாம். அதனால்தான் மறுநாள் இன்ன விஷயங்கள் விவாதத்திற்கு வரப்போகிறது என்ற விஷயத்தை முதல் நாளை எல்லா அங்கத்தினர்களுக்கும் தெரிவித்துவிடவேண்டும், என்று நாங்கள் அபிப்பிராயப்படுகிறோம். அதற்காகத்தான் அந்தத் திருத்தத்தைக் கொடுத்தேன். கூடுமானவரையில் முதல் நாளை சபையின் நிகழ்ச்சி நிரல் அங்கத்தினர்களுக்கு அனுப்பிவைக்கப்படும் என்ற முறை அனுசரிக்கப்படும் என்றால் அதில் எனக்கு ஒன்றும் ஆட்சேபமே இல்லை. நான் என்னுடைய திருத்தத்தை வாபஸ் வாங்கிக் கொள்ளுகிறேன்."

* THE HON. SRI C. SUBRAMANIAM :—" Sir, the very point the hon. the Deputy Leader of the Opposition was pointing out would create difficulties because of this fact. We are doing certain

[Sri C. Subramaniam] · [9th December 1954]

business to-day. We expect it would be over by 5 o'clock. In issuing the agenda for the next day, we might not have included it. Later on we may find we have not finished to-day's business and there may be some items left over. Naturally the next day, in a supplemental agenda, the business left over to-day will have to be mentioned for the purpose of completing the business the next day. If the rule is amended as suggested by the hon. the Deputy Leader of the Opposition, then we cannot include it at all in the next day's agenda. Of course, the difficulty pointed out by the hon. the Deputy Leader of the Opposition can be overcome by mentioning items left over instead of by saying vaguely 'business left over'. This would make clear to hon. Members which of the items have been completed and which have been carried over for the next day."

MR. SPEAKER :—" Suppose we are not able to finish a particular item on the same day. Let us take these rules that we are now considering. Suppose we are not able to finish these rules to-day. Then how can the Government take this up to-morrow if the rule is amended as suggested? "

* THE HON. SRI C. SUBRAMANIAM :—" That is why I say, Sir, if we have already issued the agenda for to-morrow and this item is left over, we can take this up to-morrow after issuing a supplemental agenda for to-morrow. If it is said that the agenda ought to have been issued the previous day, we cannot include this at all in to-morrow's agenda. The difficulty pointed out by the hon. the Deputy Leader of the Opposition, can be taken note of and instead of saying in the agenda 'business left over' we should also add the items left over and to be taken up the next day."

* SRI M. KALYANASUNDRAM :—" Sir, I have pointed out the difficulties so that we can try to overcome these difficulties by creating conventions."

MR. SPEAKER :—" Is the hon. Member withdrawing his amendment? "

* SRI M. KALYANASUNDRAM :—" Yes, Sir, I am withdrawing the amendment."

The amendment (i), i.e., add at the end of sub-rule (1), the words 'on the previous day of business' was, by leave of the House, withdrawn.

* SRI M. KALYANASUNDRAM :—" Sir, the following amendment has to be disposed of :—

'Add at the end of sub-rule (3), the words "and if there is objection from 20 or more members, the order shall not be changed".'

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SRI M. KALYANASUNDRAM :—“ இந்தத் திருத்தத்தை நான் பிரேரித்திருப்பதன் நோக்கத்தைப்பற்றி சில வார்த்தைகள் கூற விரும்புகிறேன். புதிய சில விஷயங்களை நிகழ்ச்சி நிரலில் குறிப்பிடாமலே சேர்ப்பதாக இருந்தால் அதற்கு அனுமதி கொடுக்கக்கூடிய பழக்கம் இருக்கிறது. அதாவது ஒரு தீர்மானத்தின் மூலம் புதிய விஷயங்களைச் சேர்த்துக் கொள்ளவேண்டுமென்று சொல்லி அந்தத் தீர்மானத்தை சபை ஏற்றுக்கொண்டால் அதைச் சேர்த்துக்கொள்ளலாமென்று இருக்கிறது. சபையில் பூர்ண மெஜாரிட்டியுள்ள கட்சி ஆளும் கட்சியாக்கவே இருப்பதால் ஆளும் கட்சியார் தங்களுக்குப் பூர்ண மெஜாரிட்டி இருக்கிறது என்ற காரணத்தால் சபையின் நிகழ்ச்சி நிரலில் திடீர் திடீர் எனப் புது விஷயங்களைச் சேர்த்துக் கொள்ள முடியும். உண்மையில் அப்படித்தான் நடந்துகொண்டும் இருக்கிறது. ஆகவேதான் நான் இந்தச் சபையின் நடவடிக்கை நடப்பதற்கு எவ்வளவு அங்கத்தினர்கள் மிகக் குறைந்தது வேண்டுமோ, அதாவது “கோரம்” வேண்டுமோ அவ்வளவு பேர்கள் சேர்ந்து புதிய நிகழ்ச்சி நிரலில் கொடுப்பதாக புது விஷயங்களை அன்றைய நிகழ்ச்சி நிரலில் சேர்க்கவேண்டுமென்று சர்க்கார் கோரும்போது அதை எதிர்த்தால் போதும், அதைச் சேர்த்துக்கொள்ளக் கூடாது என்று நான் எண்ணுகிறேன். சர்க்கார் கட்சித் தலைவர் அவர்களும் இந்தத் திருத்தத்தை ஏற்றுக் கொள்வார்கள் என்றே நான் நினைக்கிறேன். இந்தத் திருத்தத்தை ஏற்றுக்கொள்வதன்மூலம் எதிர்க்கட்சியின் உரிமைகளும், சபை அங்கத்தினர்களின் உரிமைகளும் கூட பாதுகாக்கப்படுமென்று எண்ணுகிறேன்.”

* **THE HON. SRI C. SUBRAMANIAM** :—“ Twenty is too small a number. We are about 230 in number. I have no objection to have it at 45. If 45 of the members present object, it shall not be included.”

MR. SPEAKER :—“ Usually we all take these things as the unanimous decision of the House. There has been no objection to these things at all. So far as I am concerned, I have been here for the past seven or eight years. By the unanimous wish of the House, we change the order of business.”

* **THE HON. SRI C. SUBRAMANIAM** :—“ In extraordinary situations we take it that 20 should not be allowed to stop this change being made. That is why it should be a large number. I suggest it may be 45.”

* **SRI M. KALYANASUNDRAM** :—“ Sir, even in the case of withdrawal of amendments or motions, even if one hon. Member objects, these are put to the vote of the House. When that is so, in the case of introducing a new item . . . ”

MR. SPEAKER :—“ It is not inclusion of new items, it is only change of order.”

SRI M. KALYANASUNDRAM :—“ When a change is proposed in the order of business, I think, the opposition parties must have a right to prevent it, if they think it is against the public interest. The number suggested by the Hon. the Finance Minister is too large. Let us have 23, that is the number required for quorum.”

THE HON. SRI C. SUBRAMANIAM :—“ It is too small a number.”

* **SRI N. GOPALA MENON** :—“ Mr. Speaker, Sir, we are governed by the rule of the majority. You know, Sir, recently the Andhra Assembly had to be dissolved because of one Member

[Sri N. Gopala Menon] [9th December 1954]

voting with the opposition. Now in democratic assemblies except when constitutional changes are involved a majority of one even should be considered a majority. I think, unless the change in the order is of such great and vital importance, we ought to be guided in all ordinary matters by a rule of the majority even if it be a majority of one. I think it would be unwise to make exceptions in small cases like these and say that there must be a minimum of 20 persons voting for a particular subject. Whatever be the matter, except in matters which under the Constitution or any particular enactment requires a particular number, the rule of majority must prevail even though it may be a single member majority."

SRI S. DEIVASIGAMANY :—" Mr. Speaker, Sir, I agree entirely with the previous speaker, the hon. Member Sri Gopala Menon. There is no meaning in saying that a thing could be accepted only if 20 persons vote for that particular motion. I think the acceptance or the rejection of the entire House should be the proper thing to guide us."

* DR. K. B. MENON :—" That will mean we will be completely left in the hands of the Government. Whatever the Government say, will have to go on. The opposition will have no voice in these matters. There can be no change to whatever is presented by the Government. Therefore a minimum number, whatever that be, if fixed, will be better in all these matters."

MR. SPEAKER :—" That is agreed. But the difficulty is about the number to be fixed as the minimum. The hon. the Deputy Leader of the Opposition suggests that it should be 23 and the Hon. the Finance Minister says it should be 45."

* SRI M. NARAYANA KURUP :—" Sir, even in respect of important matters, under these rules we have been content with fixing the minimum at the quorum number. There is a danger in allowing an indiscreet change in the order of the business. Suppose there are four or five bills given notice of sufficiently early. We are expected to take one of these and therefore we study that particular Bill. Supposing suddenly a Bill which has not been studied by us and for which we are not prepared though it might have been given notice of, is proposed to be taken up, how can we allow that change? In that way hon. Members might be handicapped. Therefore there should be some safeguard against this. It will be no use treating it as a formal affair. The specific rule should be there. I believe even in important matters like no-confidence motions we have fixed the quorum as the minimum. The number 25 seems to be reasonable."

SRI M. KALYANASUNDRAM :—" கனம் சபாநாயகர்

3-50 அவர்களே, மக்களுடைய ஜனநாயக உரிமைகளைப் பாதுகாக்கும் நோக்கத்
p.m. துடன்தான் இந்தத் திருத்தத்தை நாங்கள் கொடுத்திருக்கிறோம். தங்க
ளுக்கு வெறும் மெஜாரிட்டி இருக்கிறது என்ற ஒரு காரணத்தினால்

9th December 1954] [Sri M. Kalyanasundram]

எந்தக் காலத்திலும் தவறு நிகழ்ந்துவிடக்கூடாது என்பதற்காகத்தான் இருபது அல்லது இருபதுக்கு மேற்பட்ட அங்கத்தினர்களிடமிருந்து எதிர்ப்பு எழுந்தால் சர்க்கார் அதை மதித்து சபையின் நிகழ்ச்சி நிரலை எக்காரணம் கொண்டும் மாற்றக்கூடாது என்பதற்குத் திருத்தம் கொடுத்திருக்கிறேன். அதன் அடிப்படைக் கொள்கையை சர்க்கார் கட்சித் தலைவர் ஏற்றுக் கொண்டதற்கு அவரைப் பாராட்டுகிறேன். இருக்கிற தகராறெல்லாம் எத்தனை மெம்பர்கள் எதிர்த்தால் போதும் என்று நிர்ணயிப்பதில்ல்தான் இருக்கிறது. நம்பிக்கையில்லாத தீர்மானத்தைக் கொண்டு வருவதாக இருந்தால்கூட 25 அங்கத்தினர்கள் அதை ஆதரித்தால் போதும், அந்தத் தீர்மானம் ஏற்றுக்கொள்ளப்படும் என்றுதான் இருக்கிறது. ஆகவே நிகழ்ச்சி நிரலில் காணப்படாத புது விஷயங்களைச் சேர்க்கவும் 20 அங்கத்தினர்கள் கூடாதென்று மறுத்தால் போதாது? இந்த உரிமை கொடுக்கப்பட்டால்தான் தங்களிடம் போதுமான மெஜாரிட்டி இல்லை என்று எதிர்க்கட்சிக்காரர்கள் பேசாமலிருக்காமல் சபையின் நடவடிக்கையை அவ்வப்போது சர்க்கார் வழி தவறிச் செல்வதாக இருந்தால்கூட நல்ல எதிர்ப்பை காட்ட முடியும். அதன் மூலம் ஜனநாயகம் வளரவும் வழி ஏற்படும். ஆகவே, ஜனநாயகத்தைக் காப்பாற்ற இந்த உரிமை இருப்பது ரொம்பவும் அவசியம். இதை கனம் நிதி மந்திரி அவர்களும் உணர்ந்து ஏற்றுக்கொள்ளவேண்டுமென்று கேட்டுக்கொள்ளுகிறேன்.”

* THE HON. SRI C. SUBRAMANIAM :—“ Democracy, as pointed out by the hon. Member, Sri Gopala Menon, is essentially the rule by the majority. Take, for instance, a case where the full House consisting of 232 members is present. Two hundred and ten members want to go on with a certain business but 20 members do not agree with them and say ‘No’. What is the position? Therefore, it is good that there should be a substantial number of people objecting to it. As far as No-Confidence Motion is concerned, I have no objection to reduce the number from ‘25’, because that is a matter of confidence. Whenever an hon. Member feels that he has no confidence in the Ministry, the Ministry has to face the No-Confidence Motion. That is quite a different thing altogether. Suppose a Minister is laid up with fever and he is unable to attend this House and pilot his Bill, then we can go to another business. But if 20 members object to it and say that it should not be passed over, then we cannot go on with it. I am prepared to accept the figure of ‘45’. Otherwise, I will have to oppose the amendment.”

* SRI M. NARAYANA KURUP :—“ To say that when an Hon. Minister is absent and a proposal is brought, 20 members will object to it, is unreasonable and not proper. Inasmuch as we expect the Government to do justice by us, they must also expect our co-operation and goodwill and should not be recalcitrant in this matter.”

* THE HON. SRI C. SUBRAMANIAM :—“ Why does the hon. Member expect that we only will be unreasonable. If he thinks that hon. Members would act in a reasonable manner, he can equally expect Hon. Ministers also to act in a reasonable manner. But when once it is put in the rules, we cannot do anything in the matter. If the hon. Member is prepared to accept the figure of ‘45’, I am prepared to accept it. Otherwise, I will have to oppose it.”

[9th December 1954]

* SRI M. KALYANASUNDRAM :—“ If it is ‘ 45 ’, it would not serve the purpose. I would have it as it is in the rules.”

MR. SPEAKER :—“ Is the hon. Member withdrawing his amendment? ”

* SRI M. KALYANASUNDRAM :—“ I am withdrawing it.”
The amendment was, by leave, withdrawn.

Rule 21 was approved.

Rule 22 was approved.

RULE 23.

MR. SPEAKER :—“ The question is—

‘ That Rule 23 do stand part of the Madras Assembly Rules.’ ”

SRI C. KANDASAMY :—“ Sir, I move—

‘ In sub-rule (1), second proviso, in line 3, for the word “ may ”, substitute the word “ shall ”.’ ”

SRI S. RAMALINGAM :—“ I second it, Sir.”

SRI C. KANDASAMY :—“ We want to be certain that the non-official days lost should be made good. That is why I want to substitute the word ‘ shall ’ for the word ‘ may ’.”

THE HON. SRI C. SUBRAMANIAM :—“ I think the word should be ‘ may ’. We shall not bind ourselves that we must do a certain thing.”

MR. SPEAKER :—“ It is the House which should decide it.”

SRI C. KANDASAMY :—“ Our past experience is that we have lost most of the non-official days. In order to be certain about it, I want that the word ‘ shall ’ should be substituted for the word ‘ may ’.”

* THE HON. SRI C. SUBRAMANIAM :—“ If the word ‘ shall ’ is substituted, it is binding on the Chair and he will have to refuse leave to transact even important official business on a non-official day. After all, it is an adjustment between the Leader of the House and the hon. Leader of the Opposition and other party leaders. If a Thursday has been taken as official day, the Chair may allot in lieu thereof any other day in the same or next week for non-official business.”

MR. SPEAKER :—“ Is the hon. Member withdrawing his amendment? ”

SRI C. KANDASAMY :—“ I am withdrawing it.”

The amendment was by leave withdrawn.

Rule 23 was approved.

Rules 24 to 30 were approved.

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RULE 31.

MR. SPEAKER :—" The question is—

' That Rule 31 do stand part of the Madras Assembly Rules.' "

SRI C. KANDASAMY :—" Sir, I move—

' (i) Delete *item* (4).

(ii) Delete *item* (12).' "

SRI S. RAMALINGAM :—" I second it, Sir."

SRI C. KANDASAMY :—" Sir, item (4) of this rule says—

' It must not contain extracts from newspapers '.

" Item (12) says—

' It must not anticipate a question of which notice has already been given."

I object to these two items and they should be deleted. After all, some questions are based on newspaper reports."

MR. SPEAKER :—" Who is to take responsibility for it? The hon. Member should take responsibility for it."

SRI C. KANDASAMY :—" The hon. Member who puts the question will take the responsibility for it."

MR. SPEAKER :—" As soon as we receive a question based on newspaper reports, the usual practice is that we write to the hon. Member concerned whether he is prepared to accept responsibility for it. If he accepts it, we will admit the question."

SRI M. KALYANASUNDRAM :—" Some Hon. Minister's speech may appear in a newspaper and we would like to know the facts contained in it. We must be free to quote it from the newspaper and elicit information on it. This rule will prevent such a thing."

* THE HON. SRI C. SUBRAMANIAM :—" It does not prevent it. It is not necessary to mention the paper at all. The hon. Member can make use of information from the newspaper and adapt it to put his question without referring to the name of the newspaper."

SRI C. KANDASAMY :—" But the difficulty is . . ."

* THE HON. SRI C. SUBRAMANIAM :—" There is no difficulty at all in this matter. If he wants to make use of that information, he can use it but he should not say that such and such a paper has written about it."

MR. SPEAKER :—" There is also the question of anticipation. When an hon. Member has given notice of a question, why should another hon. Member repeat it? "

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* **SRI C. KANDASAMY** :—“ It is stated in item (12) that we should not anticipate a question of which notice has already been given. By whom? Some other hon. Member might have given notice of the question . . . It is not clear.”

* **SRI S. RAMALINGAM** :—“ நண்பர் கந்தசாமி அவர்கள் எடுத்துக்காட்டிய இரண்டு செக்ஷன்களும் ஏற்கனவேயுள்ள பழைய விதிகளில்கூட இல்லையோல் இருக்கிறதே ? ”

MR. SPEAKER :—“ அதிலே கிடையாது. இது நம்முடைய லோக் சபாவின் விதிகளை அடிப்படையாகக் கொண்டது.”

SRI S. RAMALINGAM :—“ இப்பொழுது நீங்கள் ஆயிரக் கணக்கான கேள்விகளை அனுமதித்துக்கொண்டிருக்கிறீர்கள். ஒழுங்காக வேலைகளும் நடந்துகொண்டிருக்கின்றன. அதிலும் நீங்கள் இந்த சபையிலே இருப்பதினால் அங்கத்தினர்களால் அனுப்பப்படும் கேள்விகளில் சில தவறுகள் இருந்தாலும் அவைகளைத் திருத்தி அனுமதிக்கிறீர்கள். இப்போது இம்மாதிரியான சில புதிய நிபந்தனைகளைப் போடுவதினால், எங்களுக்கும் இங்கு கேள்விகள் போடுவதற்கு சிரமமாக இருக்கும் ; ஆபீசில் உள்ளவர்களுக்கும் அதைத் திருத்தியமைத்து அனுமதிப்பதற்கு சிரமமாக இருக்கும். இப்போது வந்திருக்கக்கூடிய நிபந்தனைப்படி அப்படித் திருத்தியமைத்து அனுமதிக்கப்படும் நிலைமையிருக்கும் என்றுகூட சொல்லமுடியாது. அதனால் இதுவரைக்கும் இல்லாத கஷ்டத்தை புதியதாக உண்டாக்கிக் கொள்ளாமல், பழையபடியே இருந்துகொண்டு வரவேண்டுமென்றுதான் நான் சொல்லுகிறேன்.”

* **THE HON. SRI C. SUBRAMANIAM** :—“ The point is this. Suppose a question has already been admitted and the answer is being prepared. If another hon. Member gives notice of the same question—if he is entitled to it—then we have to answer that question also. If during a session, notice of a question has been given by an hon. Member and the notice of the same question has been subsequently repeated, it is not necessary and it should not be made compulsory for the Government to answer both the questions. That is the position.”

MR. SPEAKER :—“ We will also write to the hon. Member that so and so has given notice of a similar question.”

4 p.m. * **SRI M. NARAYANA KURUP** :—“ Sir, a question may be disallowed on the ground that an identical question has been given notice of by another hon. Member. If an hon. Member is informed merely that his question has been disallowed because another hon. Member has given notice of a similar question, he will not be able to find out whether his question is exactly the same as the one that has been given notice of by the other hon. Member. In such cases, the hon. Member should be supplied with a copy of such identical question given notice of by the other hon. Member.”

MR. SPEAKER :—“ Hereafter that will be done. I will instruct the office to send copies of such identical questions given notice of by other hon. Members.”

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* SRI K. VINAYAKAM :—“ There is a snag in the rule. Though the subject-matter of two questions may be the same, still by a slight alteration of the language of the question a Member may try to get more information from the Government. In such cases, both questions must be admitted.”

MR. SPEAKER :—“ Suppose, the hon. Member ‘ A ’ has given notice of a question which is similar to the one given notice of by the hon. Member ‘ B ’. I will tell the hon. Member ‘ A ’ that his question is disallowed because the hon. Member ‘ B ’ has given notice of a similar question. I will instruct my office to send to the hon. Member ‘ A ’ a copy of the question given notice of by the hon. Member ‘ B ’ also.”

* THE HON. SRI C. SUBRAMANIAM :—“ In the Lok Sabha, certain Members adopt the practice of copying questions given notice of by other Members so as to swell the number of questions put by them.”

SRI S. RAMALINGAM :—“ We will not do like that.”

* THE HON. SRI C. SUBRAMANIAM :—“ I know you will not do it. In spite of ourselves, we are repeating questions. That is why this rule is necessary. I think, Sir, it is a very healthy rule.”

SRI S. RAMALINGAM :—“ இப்போது கூட இந்தச் சபையில் ஒரு விஷயத்தைப்பற்றி இரண்டு மூன்று கேள்விகள் வந்தால், கனம் மந்திரிகள் 22, 23, 24 இந்த மூன்றிற்கும் ஒன்றாக பதில் கூறுகிறேன் என்று கூறுகிறார்கள். அதை நாங்கள் ஒப்புக்கொள்ளுகிறோம். பின்னர் அதன்பேரில்தான் நாங்கள் சப்ளிமெண்டரி கேள்விகளும் கேட்கிறோம். இதிலே வெவ்வேறு தொகுதியைச் சேர்ந்த அங்கத்தினர்களின் கேள்விகளாகவும் இருக்கலாம். உதாரணமாக, என் கேள்வி மேஜைமேல் இருந்தால் குறிப்பிட்ட நேரத்திலே இங்கு வந்திருந்து அதிலே சப்ளிமெண்டரி கேள்விகள் கேட்கவேண்டுமென்று அதிக அக்கறையும், கவனமும் செலுத்த முடிகிறது. இல்லையெல் அங்கத்தினர்களின் கவனம் குறையும். அதனால் இருக்கிறதை எடுக்கவேண்டாம். அனுபவித்துக்கொண்டேவருகிற உரிமை களைப் பறிப்பது தவறு என்றுதான் நினைக்கிறேன்.”

* SRI K. VINAYAKAM :—“ I have to make one submission, Sir. Let us take, for instance, Sir, that the hon. Member ‘ A ’ gives notice of three questions on a subject-matter, say, freehold property held by the Catholic Fathers of the Sacred Hearts’ College, Kodaikanal, and that another hon. Member ‘ B ’ gives notice of four questions on the same subject. Even though the fourth question given notice of by the hon. Member ‘ B ’ may try to elicit more information from the Government, still the Secretary may write to ‘ A ’ (Mr. Speaker : ‘ He does it under my orders.’) that he is anticipating questions given notice of by the hon. Member ‘ B ’.

* SRI M. KALYANASUNDRAM :—“ I consider, Sir, that item (4) is unnecessary. But, still, if the Hon. the Leader of the

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House wants it, I have no objection to retaining it. However, I want that item (12) should be deleted. It is very important that it should be deleted as it encroaches upon the rights of hon. Members of this House. The expression, 'it must not anticipate a question of which notice has already been given' is very wide and it may mean anything. I request, Sir, that this item may be deleted."

* THE HON. SRI C. SUBRAMANIAM :—" I am afraid, Sir, I am unable to accept the contention of the Deputy Leader of the Opposition. If this item (No. 12) is deleted, this will result in the swelling of the number of files on the same subject in the Secretariat. If a question which has already been put by another hon. Member is sent to the Government for answering, the Secretariat will have to open another file and in their answer to the question they will have to state that the hon. Member may refer to the answer already given to the question given notice of by the other hon. Member. Thus, this will lead merely to duplication of work. Even at the admission stage, it should be found out whether similar questions have already been given notice of by other hon. Members. If it is found that there is already a similar question given notice of, then that question need not be sent to the Secretariat, for preparing replies. It is a very salutary rule and I request hon. Members to retain it. If, however, a question seeks some more information, then there is a case for retaining it and asking the Department to prepare an answer for it. In all these matters, the Hon. Speaker has got discretion to decide matters"

MR. SPEAKER :—" The very fact that so many questions are put on the Order Paper every day will show that I allow as many questions as possible."

* THE HON. SRI C. SUBRAMANIAM :—" The hon. Member Sri S. Ramalingam pointed out that answers to very many questions on the same subject are combined in one reply. It is all very well, Sir, when a number of questions on the same subject are sent at the same time, the Government will be able to prepare a combined reply. But, suppose, three or four days prior to answering a question on the floor of the House, a similar question has to be sent to the Secretariat, in spite of the fact that the question has been fully answered and that a large number of supplementaries have been put on that subject, still all the formalities of answering the same question have to be gone through."

* SRI K. VINAYAKAM :—" The percentage of such redundant questions will be very small when compared to the thousands of questions that are given notice of. Every hon. Member of the House has to satisfy his own constituency and he should be given the privilege of framing his questions to be answered by the Government. There is no duplication of work involved. We are doing so much useless work sometimes"

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MR. SPEAKER :—" It is a reflection upon the House itself."

SRI S. DEIVASIGAMANY :—" I have got a doubt. Supposing two hon. Members send identical questions by post and the Hon. Speaker receives both the questions on the same day at the same time, which Member's question will be sent to the Secretariat for answering? "

SRI S. RAMALINGAM :—" அதிலே இன்னொரு கஷ்டமும் இருக்கிறது. நாங்கள் போடும் கேள்விகளை நீங்கள் ஒவ்வொன்றையும் anticipate பண்ணிப் பார்க்கக்கூடிய சிரமும் ரொம்ப அதிகம்."

MR. SPEAKER :—" இப்பொழுதே பார்த்துக்கொண்டுதான் வருகிறேன். புதிதாக ஒரு சிரமும் ஏற்படப்போவதில்லை."

THE HON. SRI C. SUBRAMANIAM :—" I consider that item 12 has to be retained."

Amendment (i), i.e., " delete item (4) " moved by the hon. Member Sri C. Kandasamy was, by leave of the House, withdrawn.

MR. SPEAKER :—" The question is—

' (ii) Delete item (12) '."

The amendment was lost.

Rule 31 was approved.

Rule 32 was approved.

RULE 33.

MR. SPEAKER :—" The question is—

' That Rule 33 do stand part of the Madras Assembly Rules '."

4-10
P.m.

* SRI C. KANDASAMY :—" Sir, I move—

' After the words " list of questions ", insert the words " and their answers "."

My intention is that the answers should be supplied in advance to the Members because many Members do not know English and if answers are supplied in advance they may study and understand them and come prepared for putting supplementaries."

MR. SPEAKER :—" Then, it will not be ' oral questions '. It will become ' written questions ' and there is difference between both."

SRI C. KANDASAMY :—" Even in the Senate of the University, they have this practice of sending written replies to questions. Later on, supplementaries are put."

MR. SPEAKER :—" I have no objection. But let us not call them oral questions."

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* SRI M. KALYANASUNDRAM :—" There are two kinds of questions—starred and unstarred. What this amendment seeks to do is that replies to starred questions should be sent in advance so that Members may come prepared to ask supplementary questions and we may have ample time before putting supplementaries for preparing them."

* THE HON. SRI C. SUBRAMANIAM :—" Will the Members circulate their supplementaries sufficiently early so that we may also come prepared with sharp answers?" (Laughter.)

SRI S. RAMALINGAM :—" If answers are given in advance, then I think it will be easy for the Ministers themselves."

* THE HON. SRI C. SUBRAMANIAM :—" The entire interest in question-hour will be lost if we do so. Once we print the answers and circulate them, there will be no interest in it. We must have some novelty about it and it will be interesting only if we give answers just when we meet, and if supplementaries are put thereon. I think that is the right procedure."

SRI C. KANDASAMY :—" My object is this. The Members of the House, most of them, do not know English. If the whole proceedings of the House is conducted in our mother-tongue, Tamil, then there will be no need for this amendment. If that is agreed to, then I shall withdraw my amendment."

SRI C. H. KANARAN :—" It is only for the convenience of the Members that we want this amendment to be accepted."

SRI S. RAMALINGAM :—" If the Chair can instruct the Minister to speak in Tamil, we can withdraw the amendment."

MR. SPEAKER :—" I think nobody has seconded the amendment!"

SRI S. RAMALINGAM :—" I second it, Sir."

* SRI K. VINAYAKAM :—" The question-hour is nothing but a 'battle of wits' between the Ministry and the Members putting supplementary questions. The miracle of answering questions and the Ministers at times finding themselves at their wit's end—all will be lost if answers are printed and circulated earlier. They should not, therefore, be printed and circulated but given only on the floor of the House and then only supplementaries should be put."

SRI C. KANDASAMY :—" I withdraw my amendment, Sir."

The amendment was, by leave, withdrawn.

Rule 33 was approved.

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RULE 34.

MR. SPEAKER :—" The question is—

' That Rule 34 do stand part of the Madras Assembly Rules.'

" Does Mr. Gopala Menon move his amendment? "

* SRI N. GOPALA MENON :—" No, Sir. I only want to bring to your notice that it is desirable to ration questions. I do not want any rigid rule for that."

Rule 34 was approved.

Rules 35, 36 and 37 were approved.

RULE 38.

MR. SPEAKER :—" The question is—

' That Rule 38 do stand part of the Madras Assembly Rules.'

" The hon. Member, Mr. Kandasamy, has given notice of an amendment to delete this rule. He may oppose the rule. He need not move his amendment.

" Then, regarding this rule, I have just given a ruling that a Minister can refuse to answer a question in public interest. It is against parliamentary practice, if we seek to delete the rule. If we want to call this a Parliament, we should have such rules."

* SRI K. VINAYAKAM :—" Why not we orientalise the rules, Sir? We shall adopt the rules of the Mother of Parliaments with certain new provisions mixed with them."

* SRI S. SWAYAMPRAKASAM :—" It is a very difficult problem to find out which of the matters concern public interest and which do not. If the whole thing is left to the discretion of the Minister, it will not be right. We must do something to see which of the matters really concern public interest."

MR. SPEAKER :—" The hon. Member may suggest a course when he becomes a Minister." (Laughter.)

* SRI M. KALYANASUNDRAM :—" Apart from the question of creating new traditions and all that, this rule is, in my opinion, unnecessary. Even if that rule is not there, the Speaker cannot compel a Minister to reply in a particular way."

MR. SPEAKER :—" It is there by convention. If hon. Members want, it may be deleted."

THE HON. SRI C. SUBRAMANIAM :—" We are not deleting it, Sir. Having had a particular rule like this, we should not delete it now. It should be there."

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* SRI N. GOPALA MENON :—" The rule says—

' A Minister to whom a question or supplementary question is put may decline to answer it on the ground that to answer it would be against public interest and a Minister to whom a supplementary question is put may decline to answer it without notice.'

Can the Minister simply sit in his seat and not answer the question? "

MR. SPEAKER :—" Yes, he can do so."

* SRI N. GOPALA MENON :—" But there is no provision in the rule for that." (Laughter.)

MR. SPEAKER :—" If a Minister keeps quiet, it is not unparliamentary. He can keep quiet and not answer a question."

Rule 38 was approved.

Rules 39 to 42 were approved.

RULE 43.

MR. SPEAKER :—" The question is—

' That Rule 43 do stand part of the Madras Assembly Rules.' "

* SRI P. S. KRISHNASAMY AYYANGAR :—" Sir, I move—

' After the word " before " occurring in line 2, insert the words " the further business set down in ".'

The rule says that if the Hon. Speaker gives his consent to the Motion, the Member may ask leave of the House to move it after questions and before the list of business for the day is entered upon. Questions and answers also form part of the business for the day. So, it should be ' after the question-hour is over and before the further business of the day is entered upon.' We have already entered upon the business for the day when we began putting questions. Therefore, the wording in the rules will not be proper unless we amend it in the manner I have suggested."

Sri M. Jagannathan seconded the amendment.

* SRI M. NARAYANA KURUP :—" It seems to me that it is necessary because it does not refer to the same day. Suppose an hon. Member has given notice of an adjournment motion on the previous day. If the Hon. Speaker has given his consent to it, it may find a place in the next day's list of business."

MR. SPEAKER :—" In such cases, the motion will not be put down at all in the list of business."

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* THE HON. SRI C. SUBRAMANIAM :—" The first hour is allotted for questions and answers every day. Therefore, we do not call it as part of the business for the day. Therefore, there is nothing wrong in the existing rule. There is no necessity for the amendment."

* SRI P. S. KRISHNASAMY AYYANGAR :—" Every day, the agenda for the next day is circulated to hon. Members and the list of business contained therein mentions 'questions and answers' as the first item. Questions and answers are also included in the list of business set down for any day."

* THE HON. SRI C. SUBRAMANIAM :—" On compassionate grounds, I am prepared to accept the amendment. He has taken so much care to study the rules and find out points for clarification. As a matter of fact, it only improves upon the language a little but in my opinion the rule as it is does not present any difficulty."

* SRI P. S. KRISHNASAMY AYYANGAR :—" As a matter of grace, it need not be accepted. If the Hon. Minister finds it proper, he may accept it."

* THE HON. SRI C. SUBRAMANIAM :—" I hope the hon. Member will not take me seriously. What I said was it improved the meaning of the provision. I accept it."

MR. SPEAKER :—" The question is—

'After the word "before" occurring in line 2, insert the words "the further business set down in".'

The amendment was carried.

MR. SPEAKER :—" The question is—

'Rule 43 as amended do stand part of the Madras Assembly Rules.'

The motion was carried and the Rule as amended was approved. Rules 44 and 45 were approved.

RULE 46.

MR. SPEAKER :—" The question is—

'That Rule 46 do stand part of the Madras Assembly Rules.'

SRI C. KANDASAMY :—" I move that—

'For the word "twenty-four" wherever it occurs, substitute the word "twenty".'

SRI S. RAMALINGAM :—" I second the amendment."

MR. SPEAKER :—" We have fixed the quorum as 24 and so it is put 24 here also."

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* **SRI M. KALYANASUNDRAM** :—“ இப்பொழுதிருக்கும் விதியின் பிரகாரம் 22 அங்கத்தினர்கள் எழுந்திருந்தால் போதும் என்று இருக்கிறது. இந்த விதி ஏற்படுத்திய காலத்தில் நம் சபையினுடைய எண்ணிக்கை 375-ஆக இருந்தது.”

THE HON. SRI C. SUBRAMANIAM :—“ No, it was framed long ago when the number of Members was 215 or so.”

SRI M. KALYANASUNDRAM :—“ ஏற்கெனவேயுள்ளபடி 22 அங்கத்தினர்கள் எழுந்திருந்தால்போதும் என்றவது வைத்துக்கொள்ளலாம். இந்தச் சபை ஏற்பட்ட பிறகு, இரண்டு வருஷ காலமாக 22 பேர் என்ற அடிப்படையிலேயேதான் இருந்துவந்திருக்கிறது. ஸ்ரீ கந்தசாமி அவர்களுடைய திருத்தத்தில் கோரியிருக்கிறபடி 20 அங்கத்தினர்கள் எழுந்திருந்தால் போதும் என்று இருப்பதை ஏற்றுக்கொள்ளவேண்டும் என்று கனம் மந்திரி அவர்களைக் கேட்டுக்கொள்கிறேன்.”

* **THE HON. SRI C. SUBRAMANIAM** :—“ The hon. Member need not think that the number of Members in his party will not increase at all. He can expect an increase. Therefore, this number provided here is with reference to the quorum and without reference to the party strength.”

SRI S. SWAYAMPRAKASAM :—“ Sir, I think this has been done on the basis of the Constitution. They had discussion and fixed it.”

MR. SPEAKER :—“ Yes, this has been fixed on the basis of the Constitution.”

The amendment was by leave withdrawn.

Rule 46 was approved.

SRI S. RAMALINGAM :—“ Sir, because of the heavy rains, the House is leaky. We may perhaps adjourn now.”

* **THE HON. SRI C. SUBRAMANIAM** :—“ The hon. Member assured us that we can sit half an hour late to-day. But now he is proposing for adjournment. I agree it is raining heavy. But it is more leaky outside and so it is better we remain inside and not get drenched by going outside. Let us proceed with the business of the House.”

Rules 47 and 48 were approved.

RULE 49.

MR. SPEAKER :—“ The question is—

‘That Rule 49 do stand part of the Madras Assembly Rules.’”

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SRI P. S. KRISHNASAMY AYYANGAR :—" I move that—
'In item (vii), for the words "can only be raised", substitute the words "can be raised only".

'In item (ix), for the words "can only be remedied", substitute the words "can be remedied only".'

SRI M. JAGANNATHAN :—" I second the amendments."

* SRI P. S. KRISHNASAMY AYYANGAR :—" These are only school boy's amendments. They shift a particular word from a particular place to some other place to make the meaning quite clear. Such mistakes are asked to be corrected in school final examination papers. In the rule it reads 'can only be raised on a distinct motion, etc.' but it should be 'can be raised only on a distinct motion, etc.' In item (ix), the rule reads 'the motion must not refer to grievances which can only be remedied by legislation'. A grievance could be remedied only by legislation and that is the idea and so it should read '... grievances which can be remedied only by legislation.'"

THE HON. SRI C. SUBRAMANIAM :—" I am prepared to accept the amendments, Sir."

The amendments were carried.

SRI C. KANDASAMY :—" I move—
'Omit items (viii) and (x)'."

SRI S. RAMALINGAM :—" I second the amendment."

SRI C. KANDASAMY :—" Sir, the word 'ordinary' in item (viii) is quite broad and can explain away anything . . ."

SRI S. RAMALINGAM :—" இந்த விதிகளில் ஏற்கெனவே இல்லாத சில புது விதிகளும் கூடச் சேர்க்கப்பட்டிருக்கின்றன."

MR. SPEAKER :—" அந்த விதிகள் லோக் சபா விதிகளில் இருப்பதால் எடுத்துக்கொள்ளப்பட்டிருக்கின்றன."

SRI M. KALYANASUNDRAM :—" நம் சபையே அவர்களுக்கு வழிகாட்டியாக இருக்கலாமே. அவர்களைப் பார்த்து நாம் எதற்கு எடுத்துக்கொள்ளவேண்டும் ?"

SRI S. RAMALINGAM :—" கனம் சபாநாயகர் அவர்களே, நான் காலையில் பேசியபோது கூட நமது சபையில் சென்ற காலத்தில் ஒரே ஒரு ஒத்திவைப்புப் பிரேரணைதான் அனுமதிக்கப்பட்டிருக்கிறது என்று குறிப்பிட்டேன். சபையிலுள்ள எல்லா அங்கத்தினர்களுக்கும் அவசரமான விஷயங்களை சர்க்காரின் கவனத்திற்குக் கொண்டுவர சந்தர்ப்பம் இருக்க வேண்டும். அவசரமான விஷயங்களை சர்க்காரின் கவனத்திற்கு ஒத்திவைப்புப் பிரேரணையின் மூலம் கொண்டுவரப் போதுமான விதிகள் இருக்க வேண்டும். அதற்காகவேதான் நாங்கள் இந்தத் திருத்தத்தைக் கொடுத்திருக்கிறோம்."

SRI C. KANDASAMY :—" The matter to be discussed must involve more than the ordinary administration of the law. என்ற விதியிலுள்ள ordinary என்ற ஒரு வார்த்தையானது எப்படி எப்படி

[Sri C. Kandasamy]

[9th December 1954]

எல்லாம் வியாக்யானம் செய்யப்படுமென்று நிச்சயமாகச் சொல்லமுடியாது. குறிப்பாக எதைக் கொண்டுவந்தாலும் அதை சாதாரண நிர்வாகச் சட்டத் தின்கீழ் வரப்படுகிற விஷயம் என்று சொல்லிவிடக்கூடும். அனேகமாக அரசாங்கத்தை எடுத்துக்கொண்டால் எந்த விஷயத்தைக்கொண்டு வந்தாலும் அதைப் புறக்கணிக்கும் சபாவம் இருக்கிறதே தவிர, ஏற்றுக்கொள்ளும் வழக்கமே கிடையாது. அதோடு விதிகளிலும் இப்படி வைத்து விட்டால் நிச்சயமாக எங்களுக்கு எந்த விஷயத்தையும் அரசாங்கத்தின் கவனத்திற்குக் கொண்டுவரவே சந்தர்ப்பம் இருக்காது என்று நினைக்கிறேன். அதேபோல பத்தாவது பிரிவுப்படியும் அனேகமாக எந்த விஷயத்தைப்பற்றியும் பிரேரிக்க முடியாத நிலைமை உண்டாகுமென்று நாங்கள் பயப்படுகிறோம். ஆகவே இந்த எட்டாவது பிரிவையும், பத்தாவது பிரிவையும் எடுத்துவிடவேண்டுமென்று விரும்புகிறேன்.”

* THE HON. SRI C. SUBRAMANIAM :—“ I am sorry, Sir, I am unable to accept the amendment. As a matter of fact, even now there is the rule regarding matters relating to day-to-day administration. Here it is put in another language. I do not think I can agree to the deletion of these items.”

The amendment was put and lost.

MR. SPEAKER :—“ The question is—
‘ That Rule 49, as amended, do stand part of the Madras Assembly Rules.’ ”

The motion was carried and the rule as amended was approved.

RULE 50.

MR. SPEAKER :—“ The question is—
‘ That Rule 50 do stand part of the Madras Assembly Rules.’ ”

SRI P. S. KRISHNASAMY AYYANGAR :—“ I move that—
‘ For the words “ to discuss a matter of urgent public importance ”, substitute the words “ to discuss a definite matter of urgent public importance ”.’ ”

SRI M. JAGANNATHAN :—“ I second the amendment, Sir.”

* SRI P. S. KRISHNASAMY AYYANGAR :—“ Rule 50 is in Chapter VIII relating to Motion for Adjournment of the business of the House; for the purpose of discussing a definite matter of urgent public importance. That is the wording found in rule 41 and such motions are dealt with in Chapter VIII. But rule 50 relating to ‘ the debate on a motion to discuss a definite matter of urgent public importance ’ omits the word ‘ definite ’, though it is found in rule 41. When a discussion can be allowed only on a definite matter of urgent public importance, the subject-matter of such discussion referred to in this rule should also be a ‘ definite matter of urgent public importance ’. So, my amendment seeks to supply the omission.”

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MR. SPEAKER :—" The question is—

' For the words " to discuss a matter of urgent public importance ", substitute the words " to discuss a definite matter of urgent public importance " . ' "

4-30
P.m.

The amendment was put and carried.

MR. SPEAKER :—" The question is—

' That Rule 50, as amended, do stand part of the Madras Assembly Rules ' . "

The motion was carried and the rule as amended was approved.

Rules 51 and 52 were approved.

RULE 53.

MR. SPEAKER :—" The hon. Member Sri T. C. Narayanan Nambiar is not in his place. His amendment is, therefore, deemed to have been withdrawn."

Rule 53 was approved.

RULE 54.

MR. SPEAKER :—" The question is—

' That Rule 54 do stand part of the Madras Assembly Rules. ' "

* SRI P. S. KRISHNASAMY AYYANGAR :—" Sir, I move—

' In sub-rule (1), item (a), after the word " before ", insert the words " the further business set down in " . ' "

This is the same as the amendment in respect of rule 43.

SRI M. JAGANNATHAN :—" I second the amendment."

THE HON. SRI C. SUBRAMANIAM :—" I accept the amendment."

The amendment was carried.

MR. SPEAKER :—" Mr. T. C. Narayanan Nambiar is not in his place. Therefore his amendment is deemed to have been withdrawn."

SRI C. KANDASAMY :—" Sir, I move—

' In sub-rule (2), for the word " twenty-five " wherever it occurs, substitute the word " fifteen " . ' "

ஏற்கெனவே விதி 46-ல் 24 அங்கத்தினர்கள் எழுந்து சம்மதம் கொடுத்தால் போதும், அந்த ஒத்திவைப்புப் பிரேரணை அனுமதிக்கப்படும் என்ற விதிக்கு நாங்கள் 20 அங்கத்தினர்கள் இருந்தால் போதும் என்று திருத்தம் கொடுத்திருந்தோம். அதை எதிர்த்து ஸ்ரீமான் நிதி மந்திரி அவர்கள் பேசிய காலத்தில் எங்கள் கட்சியிலுள்ள அங்கத்தினர்களின் எண்ணிக்கை அதிகப்படாது என்று எண்ணவேண்டியதில்லை, அதிகப்படாதும்கூட படலாம்,

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ஆகவே இங்கே கொடுக்கப்பட்டிருக்கிற எண்ணிக்கை கட்சி அங்கத்தினர்களின் எண்ணிக்கைக்கு ஏற்ப கொடுக்கப்படவில்லை, சபையின் கோரத்தையே கணக்காக வைத்துக்கொண்டு கொடுக்கப்பட்டிருக்கிறது, என்றெல்லாம் சொன்னார்கள்.

“இந்தச் சந்தர்ப்பத்தில் அவருக்கு நான் ஒன்றை ஞாபகப்படுத்த விரும்புகிறேன். நிச்சயமாக அவர் கட்சி அங்கத்தினர்களின் எண்ணிக்கை பெருக்கிக்கொண்டு போகும் மாதிரியில் எங்கள் கட்சி அங்கத்தினர்களின் எண்ணிக்கை ஒருக்காலும் பெருகாது என்பது எங்களுக்குத் தெரியும். அவருடைய கட்சி அங்கத்தினர்களின் எண்ணிக்கை இந்த ரீதியிலே நாளுக்கு நாள் பெருகிக்கொண்டு போகிற மாதிரியைப் பார்த்துதான் எங்களைப் போன்று நிலையாக ஒரே கொள்கையோடு இருக்கின்ற கட்சிகளின் உரிமைகள் பறிக்கப்பட்டுவிடக்கூடாது என்பதற்காகவே நான் இந்தத் திருத்தத்தைக் கொடுத்திருக்கிறேன். அதை அவர்கள் இந்த நாட்டிலே ஜனநாயகம் நல்ல முறையில் நடக்கவேண்டுமென்பதற்காகவாவது ஒத்துக் கொள்ளவேண்டுமென்றும் கேட்டுக்கொண்டு முடித்துக்கொள்ளுகிறேன்.”

SRI S. RAMALINGAM :—“ I second the amendment.”

THE HON. SRI C. SUBRAMANIAM :—“ Let the rule remain as it is, Sir.”

MR. SPEAKER :—“ The question is—

‘ In sub-rule (2), for the word “ twenty-five ” wherever it occurs, substitute the word “ fifteen ”.’ ”

The amendment was put and lost.

MR. SPEAKER :—“ The question is—

‘ That Rule 54, as amended, do stand part of the Madras Assembly Rules.’ ”

The motion was carried and the rule as amended was approved.

RULE 55.

MR. SPEAKER :—“ The question is—

‘ That Rule 55 do stand part of the Madras Assembly Rules.’ ”

SRI P. S. KRISHNASAMY AYYANGAR :—“ Sir, I move—

‘ In sub-rule (2), after the word “ before ”, insert the words “ the further business set down in ”.’ ”

This is the same as the amendment moved under rule 43.

SRI M. JAGANNATHAN :—“ I second the amendment, Sir.”

THE HON. SRI C. SUBRAMANIAM :—“ I accept it, Sir.”

The amendment was put and carried.

MR. SPEAKER :—“ The question is—

‘ That Rule 55, as amended, do stand part of the Madras Assembly Rules.’ ”

The motion was carried and the rule as amended was approved.

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RULES 56 AND 57.

MR. SPEAKER :—“ The question is—

‘ That Rules 56 and 57 do stand part of the Madras Assembly Rules.’ ”

SRI M. NARAYANA KURUP :—“ Sir, I move—

‘ For the existing rules substitute the following :—

“ 56. (1) At the conclusion of business at any sitting, any member may, with the consent of the Speaker, raise a debate on a matter of administration for which the Government are responsible, provided that he has given at least two days’ notice of his intention to raise such a debate.

(2) The two days’ notice of intention to raise a debate under sub-rule (1) shall be given to the Secretary.

(3) Among persons who have given notice under sub-rules (1) and (2), the relative precedence shall be determined by ballot which will be held under the direction of the Speaker as often as he may consider necessary.

(4) A debate under sub-rule (1) shall lapse at the expiry of one hour after its commencement.

(5) No discussion under this rule shall take place on any day allotted for the discussion of a motion on the Governor’s Address, or for the discussion of an Adjournment Motion on a matter of urgent public importance under rule 41.

(6) If any discussion under this rule has been fixed for a date on which a motion under rule 41 is allowed, the former shall be postponed to the next convenient date available for such discussion.” ”

The amendment was duly seconded.

MR. SPEAKER :—“ Motion moved—

‘ For the existing rule substitute the following :—

“ 56. (1) At the conclusion of business at any sitting, any member may, with the consent of the Speaker, raise a debate on a matter of administration for which the Government are responsible, provided that he has given at least two days’ notice of his intention to raise such a debate.

(2) The two days’ notice of intention to raise a debate under sub-rule (1) shall be given to the Secretary.

(3) Among persons who have given notice under sub-rules (1) and (2), the relative precedence shall be determined by

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ballot which will be held under the direction of the Speaker as often as he may consider necessary.

(4) A debate under sub-rule (1) shall lapse at the expiry of one hour after its commencement.

(5) No discussion under this rule shall take place on any day allotted for the discussion of a motion on the Governor's Address, or for the discussion of an Adjournment Motion on a matter of urgent public importance under rule 41.

(6) If any discussion under this rule has been fixed for a date on which a motion under rule 41 is allowed, the former shall be postponed to the next convenient date available for such discussion."

* SRI M. NARAYANA KURUP :—“ I have a serious grievance, Sir, in that the amendment which I had moved in the Select Committee, and which had been accepted by the Select Committee, has not been incorporated here. That has been mutilated and further restricted. I do not know the reason. Mr. Speaker, Sir, you have been good enough to circulate to us a paper wherein the old rules as well as the amendments proposed are printed. I shall read from it. The amendments I have given notice of now for rules 56 and 57 are exactly a verbatim copy of what is contained in rule 40-A of the copy, you have circulated to us. Rule 40-A says :—

‘ 40-A. (1) At the conclusion of business at any sitting or at 5 p.m., whichever is earlier, any member may, with the consent of the Speaker, raise a debate on a matter of administration for which the Government are responsible, provided that he has given at least two days' notice of his intention to raise such a debate.

(2) The two days' notice of intention to raise a debate under sub-rule (1) shall be given to the Secretary.

(3) Among persons who have given notices under sub-rules (1) and (2), the relative precedence shall be determined by ballot which will be held under the directions of the Speaker as often as he may consider necessary.

(4) If a debate under sub-rule (1) has, on account of the early conclusion of the business of the House, to commence before 5 p.m., it shall lapse at the expiry of half an hour after such commencement, and a fresh matter may be allowed to be debated during the interval between that time and 5-30 p.m.; provided that the debate shall automatically cease at 5-30 p.m.

(5) No discussion under this rule shall take place on any day allotted for financial business or for the discussion of a motion on the Governor's Address, or for the discussion of an adjournment motion on a matter of urgent public importance, under rule 41.

(6) If any discussion under this rule has been fixed for a date on which a motion under rule 41 is allowed, the former shall be postponed to the next convenient date available for such discussion.

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“ Let us see the proceedings of the Select Committee on page 64. Rule 40-A has been approved with the following changes :—

(i) In this rule, the words ‘ or at 5 p.m. whichever is earlier ’ were omitted.

(ii) It was resolved that the words ‘ for financial business ’ occurring in sub-rule (5) of this rule be deleted.

“ With these changes the whole of rule 40-A with its sub-clauses (1) to (6) has been approved. Rule 40-A as amended by the Select Committee corresponds *word for word* with the amendment which I have given notice of and which I have moved. When rule 40-A has been approved by the Select Committee (vide page 64 of the report of the Select Committee), I do not know under whose authority the same has not been incorporated in the rules before us. Therefore, I request that my amendment, which in fact has been accepted by the Select Committee and which for some unknown reason has not been incorporated in the rules, be approved.”

* THE HON. SRI C. SUBRAMANIAM :—“ Let us put off consideration of rules 56 and 57. We shall have to go through the minutes of the Select Committee referred to by the hon. Member.”

MR. SPEAKER :—“ We shall take up rules 56 and 57 afterwards.”

RULE 58.

MR. SPEAKER :—“ The question is—

‘ That Rule 58 do stand part of the Madras Assembly Rules.’ ”

* SRI P. S. KRISHNASAMY AYYANGAR :—“ Sir, I move—

‘ For the words “ *under this rule* ”, substitute *the words and figures “ under rule 57 ”.*’

“ The question of admissibility is the concern of the Speaker as laid down under rule 57. Rule 58 says in what cases, those questions are admissible. The Speaker has got to consider the admissibility of the questions and he is given the power to decide the same under rule 57. Therefore, I think rule 58 should be so amended by inserting for the words ‘ under this rule ’ the words and figures ‘ under rule 57 ’.”

SRI M. JAGANNATHAN :—“ I second the amendment.”

SRI K. PARTHASARATHY :—“ Instead of saying ‘ under rule 57 ’, I think the words ‘ under this chapter ’ may be substituted.”

* THE HON. SRI C. SUBRAMANIAM :—“ I think I can accept what the hon. Member Mr. Parthasarathy had said.”

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* SRI V. R. KRISHNA AYYAR :—“ I also endorse the suggestion to have the words ‘ under this chapter ’ instead of having the words ‘ under this rule ’. It is not very precise as to whether a matter may be admitted under rule 57 or 58. Therefore if we say that a matter may be admissible ‘ under this chapter ’ if it satisfied the conditions set under rule 58, I think that will be comprehensive and cover all points.”

* SRI P. S. KRISHNASAMY AYYANGAR :—“ I think my amendment will be more appropriate, Sir.”

MR. SPEAKER :—“ The question is—

‘ For the words “ under this rule ”, *substitute* the words and figures “ under rule 57 ”.’ ”

The amendment was put and lost.

MR. SPEAKER :—“ I shall put the amendment suggested by the hon. Member Sri K. Parthasarathy. The question is—

‘ For the words “ under this rule ”, *substitute* the words and figures “ under this chapter ”.’ ”

The amendment was put and carried.

MR. SPEAKER :—“ The question is—

‘ That Rule 58 as amended do stand part of the Madras Assembly Rules.’ ”

The motion was carried and the rule as amended was approved.

Rule 59 was approved.

RULE 60.

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* SRI M. KALYANASUNDRAM :—“ Sir, I submit that this is an important rule and many hon. Members may be interested in it. May I suggest that we can take up this rule to-morrow? We shall sit for some more time, but consideration of this rule may be taken up to-morrow, so that more hon. Members may participate in the discussion.”

MR. SPEAKER :—“ Rule 60 will be taken up for consideration on the next day.”

* SRI M. KALYANASUNDRAM :—“ Sir, if it is Saturday, it is all right. But if it is Monday, I am afraid I may not be present.”

THE HON. SRI C. SUBRAMANIAM :—“ Sir, we can have it on Saturday.”

MR. SPEAKER :—“ Yes, we shall take up this rule on Saturday.”

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RULE 61.

MR. SPEAKER :—" The question is—

' That Rule 61 do stand part of the Madras Assembly Rules.' "

* SRI N. GOPALA MENON :—" Sir, I move—

' For the existing rule, substitute the following :—

" The Speaker shall arrange the seats of the members belonging to each political party or group in the Assembly in the alphabetical order, except those of the members of Government and the Leader of the Opposition. The members shall occupy the seats allotted to them when votes are taken by division. The Speaker shall not recognize any party within the Assembly which does not have a strength of at least ten members." "

The amendment was duly seconded.

MR. SPEAKER :—" Amendment moved—

' For the existing rule, substitute the following :—

" The Speaker shall arrange the seats of the members belonging to each political party or group in the Assembly in the alphabetical order, except those of the members of Government and the Leader of the Opposition. The members shall occupy the seats allotted to them when votes are taken by a division. The Speaker shall not recognize any party within the Assembly which does not have a strength of at least ten members." "

* SRI N. GOPALA MENON :—" The object of my moving this amendment is to create a greater sense of unity among the members. One may think why and how this will create greater sense of unity among the members. Under the present arrangement I find that hon. Members representing separate districts or having other affiliations are seated together and are given separate seats. In the Assembly it is desirable that we instil in the minds of the hon. Members a feeling that we are one and belong to one State. Parochial considerations or districtwar considerations should not be the paramount thing which should weigh in our minds. The fact that some members belonging to a particular district are made to sit together itself shows that there is a sort of segregation districtwar or otherwise. I think, Sir, that in the old Assembly hon. Members were asked to sit in the alphabetical order. That is a very desirable practice because there is no question of district, linguistic or other parochial affiliations. I know that in the old composite Assembly we were having our backs against the walls because we happened to belong to some districts in the West Coast. Members coming from Malabar and South Kanara had to sit there at the end."

MR. SPEAKER :—" The hon. Member says that the Speaker shall arrange the seats of the members belonging to each political party or group in the Assembly in the alphabetical order. He

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fixes a certain number for a party and a certain number for a group. I do not know the exact number. He says that the Speaker shall not recognize any party within the Assembly which does not have a strength of at least ten members. What is the definition of the word 'party'? Here also there is some difficulty. The hon. Member Sri P. T. Rajan belongs to a party which has got following both inside and outside the Assembly. Of course, he is the only member of the party in this House. The party puts up candidates for all constituencies but one is elected. Should I deny him the status of the party to which he belongs? He stood on the Justice Party's ticket. It was in power for nearly 18 years. The party had backing throughout the State. How can we say that simply because one man has been elected to the Assembly, he does not belong to any party?"

* SRI N. GOPALA MENON :—" Sir, that is the second part of the question to which I have not yet come. The first is about the arrangement of seats. You can take the political parties into consideration and arrange the seats in the alphabetical order. The next question is about the different parties and groups. I know that for a party to get recognition within the Assembly, there must be a definite party in the country outside the Assembly. I would like to fix a minimum number which may be acceptable to you and to the hon. Members of this House. I wish to state what is passing in my mind, not necessarily for the acceptance of the House."

SRI M. KALYANASUNDRAM :—" At least there is one member to carry the memory of a party which is likely to be relegated in mystery after some years and I understand that the hon. Member belonged to that party some time ago. Should he not do some service to that party?"

* SRI N. GOPALA MENON :—" Sir, we are in a moving world and if my hon. Friend wants to stick to old parties and have old affiliations, the Legislative Assembly, which is a modern democratic institution, is not the place. The museum will be the place for that. As I said, we are in a moving world. My object in saying that we should not recognize parties in the Assembly is to impress upon the necessity for having greater fusion among the Ministerial Benches as well as among the Opposition. I was just saying that if we want to recognize a party, it must have a party outside the Legislature and there must be representative members within the Legislature. The hon. Member Sri Kalyanasundram referred to a party which consisted of only one leader. I do not want to mention the name of any party, but I am reminded of an old Scottish ballad."

MR. SPEAKER :—" Here is a concrete case. I want to know whether we should give recognition to the Justice Party."

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* SRI N. GOPALA MENON :—“ My submission is that either Mr. P. T. Rajan or any other person who does not have a following in the Assembly cannot be recognized as a party. That is why I said I am reminded of an old Scottish ballad which says ‘ three and thirty pipers and four and twenty men ’. There are parties and party leaders here without a person in the party to second them. Can we recognize an individual who says that he is the leader of a party which does not have another man to second him? There are party leaders in this House who are given recognition, though they do not have a single follower.

“ Now, Sir, the object that I have in mind is much wider than giving recognition to parties or to individuals. I am against the existence of multiple parties in a Legislative Assembly. So far as the Legislative Assemblies are concerned, we should have a Government Party and a single Opposition Party. If the Members of the Opposition are few in number, they must ally themselves with those parties which are near to them in principle and policy and they must have one Leader. Then, they will form a strong and effective opposition to the Government. As far as possible, we must avoid various parties springing up in the country and in this Assembly. If, within this Assembly Chamber, we begin to recognise various parties, what will happen is that a few Members may gather together and call themselves by a distinct party label. They may not differ fundamentally on party principles or political principles from the other parties, but still, for the purpose of having the honour of being called leaders, for having the honour of separate seats assigned and possibly rooms allotted and for having the honour of consultation with the Speaker when the list of business for the day is settled, they may have the tendency to have Members joined together and call themselves party leaders. In the interests of our country, it is very necessary that if our democratic institutions should thrive, we should have a Ministerial Party or a Government Party and an Opposition Party, and not numerous parties springing up with different labels and designations with policies which do not differ widely or fundamentally from other parties. That is the purpose with which I have said that any party which does not have at least ten members should not be recognised as a party. In fact, a friend of mine belonging to one of the parties with only five members asked me, ‘ Is it your intention to see that our party also goes away? ’ My intention is to secure for my country a better democratic tradition and to see that our democratic institutions are worked properly. It is not my intention to see that any small party which may have a following outside but which has only about five members within this Assembly should be deprived of the honour of having a party label. But, as far as possible and to the best of our ability, we must see that the Opposition is a single Opposition. That arrangement will be much better for working these institutions. It is only with that good intention that I am saying that we should not have more than one

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p.m.

[Sri N. Gopala Menon] [9th December 1954]

Opposition Party. In the Lok Sabha I understand that the Speaker said that for a party to get recognition, it must have a definite party outside and inside the Lok Sabha."

MR. SPEAKER :—" For the benefit of the House, I shall read out the principles followed for recognition of parties in the Lok Sabha. The following general principles have been laid down by Shri Mavlankar in regard to the recognition of parties and groups in the Lok Sabha :—

' (i) Members who propose to form a Party should possess a distinct ideology and programme of their own ; and they should have been returned to the House by the electorate on that programme and ideology.'

(This means that Members cannot change parties.)

(ii) ' The Party should have an organization both inside and outside the House in order to keep in touch with all important issues before the country.'

* SRI M. KALYANASUNDRAM :—" If this principle is applied, the Justice Party cannot be recognised because that party can never secure a sufficient number of Members to form a quorum in this House."

MR. SPEAKER :—" To continue, the following are the further principles followed in the Lok Sabha for the recognition of parties and groups :—

' (iii) Any Group of members to be recognised as a Party should at least have a strength equal to the quorum fixed to constitute a sitting of the House, i.e., 1/10th of the total number of members of the House.

NOTE.—Where, however, the test of the minimum number of members is satisfied, it does not follow that that Group of members will be automatically recognised as a Party. The first two conditions must also be satisfied.

(They should have an ideology of their own. They should have a party organisation outside and inside the House. Then, they should have been elected on the same ticket. They cannot change parties after entering the House.)

' (iv) Groups of members who satisfy the first two conditions mentioned above, and have a strength of at least 30 in a House of 500 members would be recognised as Opposition for limited purposes.

(v) Other Groups which possess the first two conditions but have a strength below 30 in a House of 500 would be considered as Groups only to the extent of allotment of blocks of seats in the House. They may or may not be given other facilities normally accorded to a Group.'

Therefore, the question bristles with difficulties. What I am going to say is not intended for the Press. I hope the Press will not publish it.

" We discussed this question threadbare in the Speakers' Conference but did not come to any conclusion in the matter. In the Lok Sabha there is no Leader of the Opposition whereas we have a Leader of the Opposition here. The principle followed in the Lok Sabha is that the party which is in a position to form the Government in case the Government resign should be recognised as the Opposition Party. If that is taken into consideration, what about the Travancore-Cochin State? In that State a minority party has formed the Government and not the majority party.

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Thus, the question which party should be called the Opposition Party bristles with difficulties. So, in the Conference of Presiding Officers of the Legislatures in India, we did not take any decision on the matter. In the circumstances, it is better if discretion is given to the Chair to call a collection of members a party or a group."

* THE HON. SRI C. SUBRAMANIAM :—" With regard to the arrangement of the seats of the members belonging to each political party or group in the Assembly in the alphabetical order, I think any principle need not be laid down in the rules. In consultation with the Chief Whip and the other parties, whatever arrangement is necessary may be made. Therefore, this amendment is not necessary."

The amendment of Sri N. Gopala Menon was, by leave, withdrawn.

Rule 61 was approved.

RULE 62.

MR. SPEAKER :—" The question is—

' Rule 62 do stand part of the Madras Assembly Rules.' "

SRI N. GOPALA MENON :—" I do not move my amendment, Sir."

Rule 62 was approved.

Rules 63 to 69 were approved.

MR. SPEAKER :—" We shall take up rule 70 on Saturday. The House will now adjourn and meet again at 11 a.m. tomorrow."

The House then adjourned.

IV.—PAPERS LAID ON THE TABLE OF THE HOUSE.

1. Notification under the Madras Motor Vehicles Taxation Act, 1931.—Notification No. 934 issued with G.O. Ms. No. 3254, Home, dated the 3rd November 1954, relating to the exemption from payment of tax of six mobile vans used by the Madras State Handloom Weavers' Co-operative Society.

2. Revenue Department Memorandum No. 23341-N/54-2, dated 17th August 1954, regarding certain amendments to the Madras Tobacco (Taxation of Sales and Registration) Rules, 1953.

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APPENDIX

[Vide answer to starred question No. 180 asked by Sri A. Ratnam at the meeting of the Legislative Assembly held on 9th December 1954, page 26 supra.]

Statement showing the quantity of potatoes exported from Madras State to other State in India and to foreign countries before the war.

In Indian standard maunds of 82-2/7.

	1936.	1937.	1938.	1939.
Ceylon	38,400	19,350	45,550	133,760
Bombay	91,080	186,510	115,390	243,410
Bengal	83,890	14,610	177,480	251,190
Nizam	30,330	32,070	24,650	41,450
Sind	..	30	..	760
Mysore	12,380	21,410	11,130	3,720
Cochin	48,090	38,730	42,580	41,340
Pudukkottai	2,890	1,640	2,300	140
Travancore	8,290	11,350	8,160	8,070
Central Province	37,020	46,530	27,790	40,060
Orissa	19,360	10,940	21,250	29,760
Pondicherry	7,040	7,930	8,910	5,130
Other State	..	..	..	2,820
Total in maunds or in tons.	378,770	391,100	485,190	801,610
	14,397.1	14,367.0	17,823.3	29,446.9

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